

IPR2024-00198
Patent 9,890,609 B2

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KLX ENERGY SERVICES LLC,
Petitioner,

v.

SAFOCO, INC.,
Patent Owner.

CASE IPR2024-00198

PATENT 9,890,609 B2

DECLARATION OF SEAN MACKIEWICZ

I, Sean Mackiewicz, declare:

1. I am receiving no compensation for providing this declaration. I make this declaration based upon my own personal knowledge and, if called upon to testify, would testify competently to the information contained herein.

2. I worked for KLX Energy Services LLC from November 2015 to the middle of 2016. As part of my job duties with KLX Energy, I worked on KLX Energy's frac relief valve ("FRV"). When I began work, KLX Energy's FRV design had already been developed.

3. While I was at KLX Energy, I learned that the design of KLX Energy's FRV had been developed from an acquired Safoco, Inc.'s FRV.

4. I observed that KLX Energy's FRV was a basic copy of Safoco's FRV, which had been in commercial use since the Spring/Summer of 2013.

5. I discussed my observation with Scott Bennett who was taking over the wellhead business at KLX Energy, which included the FRV products. I pointed out to Scott Bennett that KLX Energy's FRV was a virtual copy of Safoco's FRV.

6. I suggested to Scott Bennett that we redesign KLX Energy's FRV rather than continue marketing a design that was essentially the same as Safoco's FRV.

7. At that same time, we were addressing some safety concerns over KLX Energy's FRV. Scott Bennett authorized me to make design changes to address

these safety issues; however, he would not authorize a redesign away from Safoco's FRV design template.

8. All statements made herein of my own knowledge are true. I further understand that willful false statements and the like are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code. I declare under penalty of perjury that the foregoing is true and correct.

Executed on February 22, 2023.

A handwritten signature in black ink, appearing to read 'SM', is written over a horizontal line.

Sean Mackiewicz