

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SOLARIS OILFIELD SITE SERVICES OPERATING, LLC and SOLARIS
OILFIELD SITE SERVICES PERSONNEL, LLC,
Petitioners,

v.

MASABA, INC.
Patent Owner.

Case IPR2024-01179
Patent No. 11,780,689

**JOINT MOTION FOR ENTRY OF PROTECTIVE ORDER
PURSUANT TO 37 C.F.R. §§ 42.14 & 42.54**

Pursuant to 37 C.F.R. §§ 42.14 and 42.54, Solaris Oilfield Site Services Operating, LLC (“SOSSO”) and Solaris Oilfield Site Services Personnel, LLC (“SOSSP”) (collectively, “Solaris” or “Petitioners”) and Patent Owner Masaba, Inc. (“Patent Owner”) hereby move for entry of the Stipulated Protective Order appended hereto as Appendix A.

The Office Trial Practice Guide states that “protective orders may be issued for good cause by the Board to protect a party from disclosing confidential information.” Office Trial Practice Guide (Nov. 2019) at 20 (citing 37 C.F.R. § 42.54). Petitioners and Patent Owner agreed to the terms of the Stipulated Protective Order as appended below as Appendix A. The terms of that Stipulated Protective Order follow those of the Office’s default protective order with only minor variations that do not impose any added burden on the Office.

Petitioners and Patent Owner believe that certain information relating to this proceeding should be protected according to the terms of the Stipulated Protective Order, and that good cause exists for entry of the Stipulated Protective Order.

For the foregoing reasons, Petitioners and Patent Owner respectfully request that the Board grant this unopposed motion for entry of the Stipulated Protective Order.

Dated: July 21, 2025

Respectfully Submitted,

BAKER BOTTS, L.L.P.

/Elizabeth Durham Flannery/

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Lead Counsel for Petitioners

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Lead Counsel for Patent Owner

CERTIFICATE OF SERVICE

I hereby certify that on July 21, 2025 a true and correct copy of the foregoing document was served electronically via e-mail in its entirety on counsel identified below by Patent Owner for service at:

Chad E. Nydegger
Registration No. 61,020
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David R. Todd
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Brian N. Platt
Registration No. 62,249
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Dated: July 21, 2025

/Elizabeth Durham Flannery/
Elizabeth D. Flannery
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APPENDIX A

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STIPULATED PROTECTIVE ORDER

This protective order governs the treatment and filing of confidential information in this proceeding, including documents and testimony.

1. Confidential information shall be clearly marked “PROTECTIVE ORDER MATERIAL.”

2. Access to confidential information is limited to the following individuals:

- (A) Parties. Persons who are owners of a patent involved in the proceeding and other persons who are named parties to the proceeding.
- (B) Party Representatives. Employees and officers of, and counsel of record for, a party in the proceeding.
- (C) Experts. Retained experts of a party in the proceeding who further execute the Acknowledgement attached hereto.
- (D) In-house counsel. In-house counsel of a party in the proceeding.
- (E) Support Personnel. Administrative assistants, clerical staff, court reporters and other support personnel of the foregoing persons. Such personnel who are reasonably necessary to assist those experts identified above in 2.(C) in the proceeding shall not be required to sign an Acknowledgement, but shall be informed of the terms and requirements of the Protective Order by the person they are supporting who receives confidential information.

- (F) The Office. Employees and representatives of the United States Patent and Trademark Office who have a need for access to the confidential information shall have such access without the requirement to sign an Acknowledgement. Such employees and representatives shall include the Director, members of the Board and their clerical staff, other support personnel, court reporters, and other persons acting on behalf of the Office.

3. Persons receiving confidential information shall use reasonable efforts to maintain the confidentiality of the information, including:

- (A) Maintaining such information in a secure location to which persons not authorized to receive the information shall not have access;
- (B) Otherwise using reasonable efforts to maintain the confidentiality of the information, which efforts shall be no less rigorous than those the recipient uses to maintain the confidentiality of information not received from the disclosing party;
- (C) Ensuring that support personnel of the recipient who have access to the confidential information understand and abide by the obligation to maintain the confidentiality of information received that is designated as confidential; and
- (D) Limiting the copying of confidential information to a reasonable

number of copies needed for conduct of the proceeding and maintaining a record of the locations of such copies.

4. Persons receiving confidential information shall use the following procedures to maintain the confidentiality of the information:

(A) Documents and Information Filed with the Board.

- (i) A party may file documents or information with the Board along with a Motion to Seal. The Motion to Seal should provide a non-confidential description of the nature of the confidential information that is under seal, and set forth the reasons why the information is confidential and should not be made available to the public. A party may challenge the confidentiality of the information by opposing the Motion to Seal. The documents or information shall remain under seal unless the Board determines that some or all of it does not qualify for confidential treatment.
- (ii) Where confidentiality is alleged as to some but not all of the information submitted to the Board, the submitting party shall file confidential and non-confidential versions of its submission, together with a Motion to Seal the confidential version setting forth the reasons why the information redacted from the non-confidential version is confidential and should not be made

available to the public. A party may challenge the confidentiality of the information by opposing the Motion to Seal. The non-confidential version of the submission shall clearly indicate the locations of information that has been redacted. The confidential version of the submission shall be filed under seal. The redacted information shall remain under seal unless the Board determines that some or all of the redacted information does not qualify for confidential treatment.

- (B) Documents and Information Exchanged Among the Parties. Documents (including deposition transcripts) and other information designated as confidential that are disclosed to another party during discovery or other proceedings before the Board shall be clearly marked as “PROTECTIVE ORDER MATERIAL” and shall be produced in a manner that maintains its confidentiality.

5. Within 60 days after the final disposition of this action, including the exhaustion of all appeals and motions, each party receiving confidential information must return, or certify the destruction of, all copies of the confidential information to the producing party.

Dated: July 21, 2025

Respectfully Submitted,

BAKER BOTTS, L.L.P.

/Elizabeth Durham Flannery/

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**ACKNOWLEDGEMENT FOR ACCESS TO
PROTECTIVE ORDER MATERIAL**

I, _____, affirm that I have read the Protective Order; that I will abide by its terms; that I will use the confidential information only in connection with this proceeding and for no other purpose; that I will only allow access to support staff who are reasonably necessary to assist me in this proceeding; that prior to any disclosure to such support staff I informed or will inform them of the requirements of the Protective Order; that I am not a competitor to any party, or a consultant for, or employed by, such a competitor with respect to the subject matter of the proceeding; that I am personally responsible for the requirements of the terms of the Protective Order and I agree to submit to the jurisdiction of the Office and the United States District Court for the Eastern District of Virginia for purposes of enforcing the terms of the Protective Order and providing remedies for its breach.

Dated: _____

[Signature]