

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LIBERTY ENERGY, INC. AND LIBERTY OILFIELD SERVICES LLC,
Petitioners,

v.

U.S. WELL SERVICES, LLC,
Patent Owner.

IPR2025-00139
U.S. Patent No. 11,208,878 B2

PATENT OWNER'S SUR-REPLY BRIEF

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<i>Wang Lab'ys, Inc. v. Toshiba Corp.</i> , 993 F.2d 858 (Fed. Cir. 1993)	16, 17

PATENT OWNER'S EXHIBIT LIST

Exhibit No.	Description
2001	U.S. Patent No. 9,945,365 to Hernandez et al.
2002	Grizzly EnviroFrac website (https://grizzlyservice.com/envirofrac/) (last accessed March 11, 2025)
2003	Patent Case Scheduling Order, <i>U.S. Well Services, LLC, et al. v. Liberty Energy, Inc., et al.</i> , 4:2-cv-008939-KPE (S.D. Tex.), ECF No. 30
2004	Petitioner's Invalidity Contentions Cover Pleading, <i>U.S. Well Services, LLC, et al. v. Liberty Energy, Inc., et al.</i> , 4:2-cv-008939-KPE (S.D. Tex.)
2005	USPTO Announcement Rescinding Memorandum Addressing Discretionary Denial Procedures and Accompanying Memorandum
2006	Order Denying Stay
2007	Joint Motion to Amend Patent Case Scheduling Order
2008	Amended Patent Case Scheduling Order
2009	Declaration of Richard Quarles ISO Motion for <i>Pro Hac Vice</i>
2010	U.S. Pat. Pub. No. 2019/0203572
2011	U.S. Pat. Pub. No. 2019/0003329
2012	Deposition of Dr. Robert Durham
2013	Declaration of Dr. Michael Nikolaou
2014	C.V. of Dr. Michael Nikolaou
2015	Memorandum And Order, Case 4:24-cv-00839 Document 111, Filed on 05/30/25 in TXSD

2016	Order Adopting Claim Construction Memorandum & Order, Case 4:24-cv-00839 Document 128, Filed 07/07/25 in TXSD
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Petitioners have failed to show that the challenged claims of U.S. Patent No. 11,208,878 (the “878 Patent”) are obvious.

I. IT WAS NOT OBVIOUS TO MOUNT SWITCHGEAR ON THE PUMP TRAILER

A. Combining All Asserted References Would Not Produce the Claimed Invention Because None of the Asserted References Teach Mounting Switchgear on a Common Structure with Any of the Electric-Powered Pump, the VFD, or the Transformer, Much Less Mounting All Four on a Common Support Structure

Petitioners allege that Patent Owner addresses “each reference in isolation” (Reply, 3), but Patent Owner made it abundantly clear in the Patent Owner’s Response (the “POR”) that even assuming *arguendo* a POSITA was motivated to combine the asserted references, he would not arrive at the claimed invention because none of the asserted references, alone or in combination, teach or render obvious mounting the switchgear on the same support structure as the electric-powered pump, the VFD, or the transformer, much less mounting all four components on the same structure as the claims require (the “Common Support Structure”). POR, 25–31; *Sealant Sys. Int’l, Inc. v. TEK Glob., S.R.L.*, 616 F. App’x 987, 996 (Fed. Cir. 2015) (finding claims *nonobvious* where even combining the asserted references would not produce the claimed invention because neither reference taught the challenged claim limitation).

Indeed, what is wholly lacking from all the asserted references is a teaching of mounting the switchgear on the same support structure as *any of* the electric-powered pump, the VFD, or the transformer. This is not, as Petitioners argue, improperly focusing on each reference “in isolation” from each other. Reply, 3. It instead demonstrates the hole in Petitioners’ analysis. For its analysis of claim 1, Petitioners (across Grounds 1A, 1B, 6A, and 6B), identify five different references—Morris, Oehring, Premset Catalog, Premset Brochure, and Payne. Yet Petitioners did not and could not identify anywhere in those references a disclosure in which the switchgear was located on the same support structure as the pump. Thus, the claim limitation “wherein the electric powered pump [and] the switchgear ... are mounted on a common support structure” is missing completely from Petitioners’ prior art. *Sealant Sys.*, 616 F. App’x at 996 (“Even if a skilled artisan would be motivated to combine the [asserted] references, ... this would not produce the claimed invention because [none of the asserted references] teach the [challenged claim limitation]”).

For example, Morris teaches that switchgear is on “switch gear transport 108” (green), which is a *separate transport* from the “transformer[s] 110” (red), pumps and “drives” “mounted on the “fracturing pump transport 104” (yellow) as illustrated in Figure 1 and reproduced below. EX-1004, ¶¶ 24, 31, Fig. 1; POR, 25–26.



Oehring IV likewise teaches switchgear on a dedicated switchgear trailer 325 that is separate from pump trailer 425, as illustrated in Figure 3A and Figure 4. EX-1006, ¶¶ 49, 53, Fig. 3A, Fig. 4; POR, 27–28. Oehring IV further teaches switchgear on a separate trailer from the transformers, as illustrated by “electrical connections 302 for [connecting to] transformers.” *Id.*, ¶ 47.

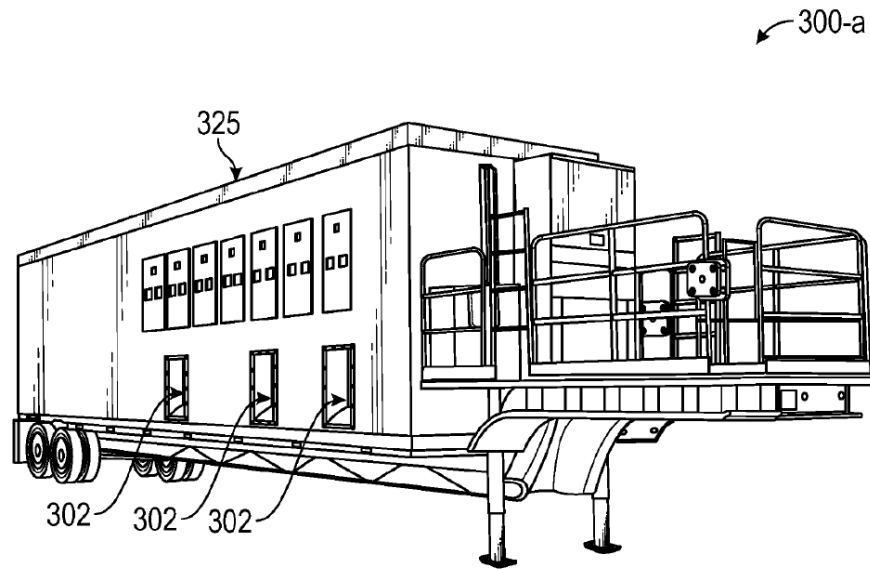


FIG. 3A

Id., Fig. 3A.

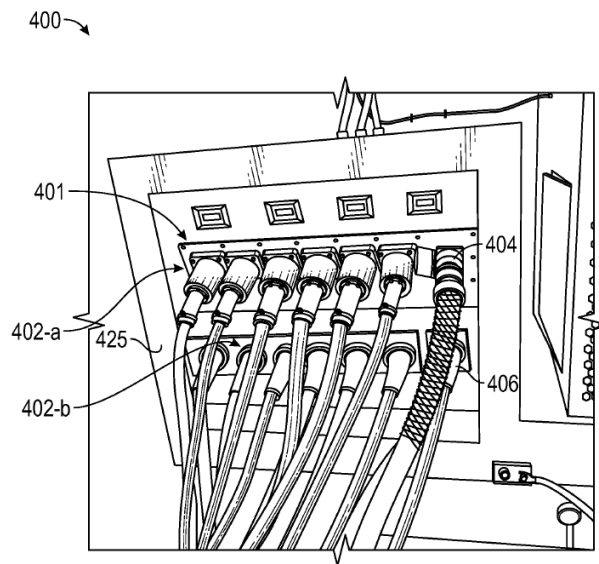


FIG. 4

Id., Fig. 4. Petitioners do not assert that Oehring IV discloses the switchgear on the same support structure as the pump. Instead, Petitioners argue only that Oehring IV “teaches that ‘switchgear [] can distribute power to other switchgear units.’” Pet.,

39. But having multiple switchgear units is not a disclosure of putting a switchgear and the pump on the same support structure.

As identified in the POR, Payne discloses that its “switchgear trailers ... 80a, 80b” (green) are on separate trailers from “fracturing pump unit trailers” 20a through 20h (yellow) and that both switchgear and pumps are on different trailers than transformers on “transformer trailers” 70a–70d (red) as illustrated in Figure 1.

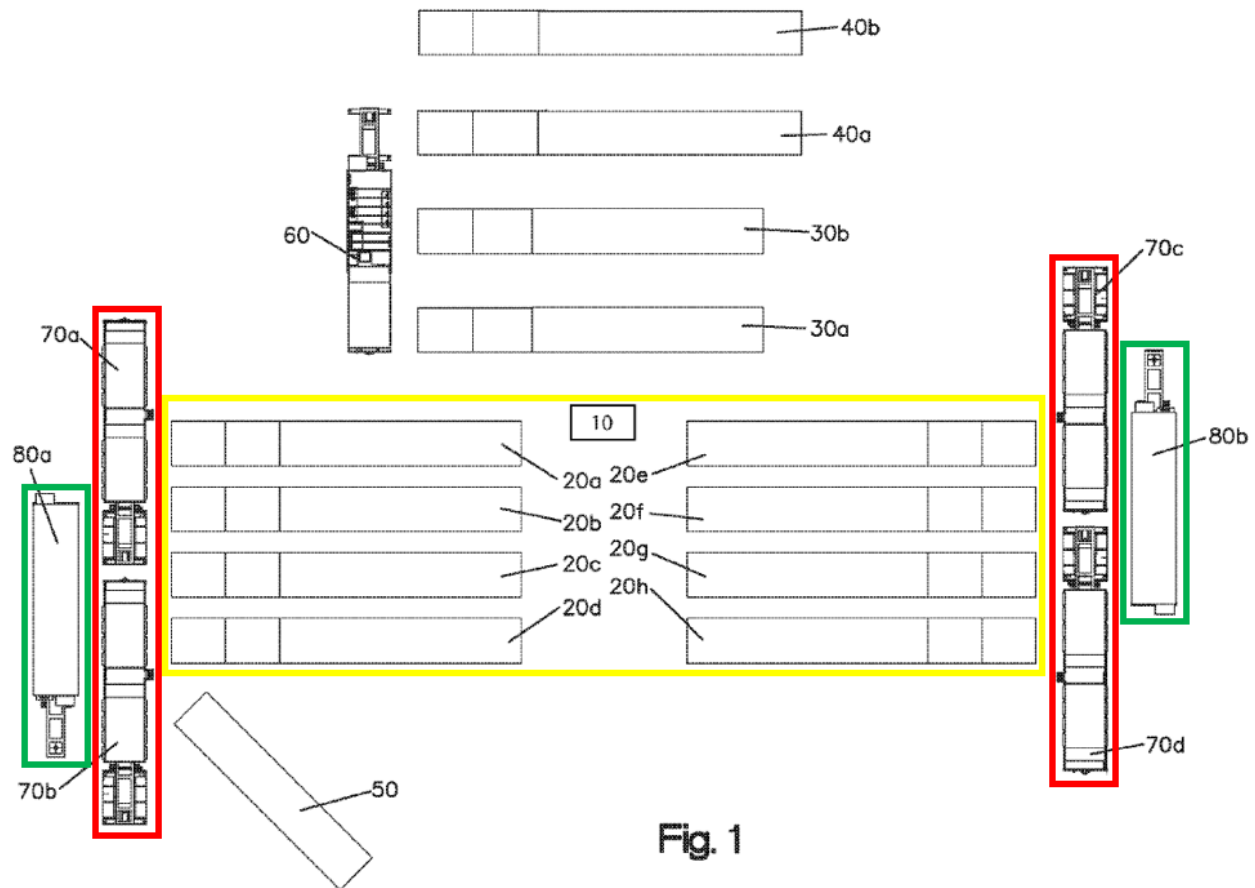


Fig. 1

EX-1013, Fig. 1 (annotated). Petitioners do not argue otherwise, instead asserting that Payne shows switchgears located together with transformers. Pet., 72. But

Petitioners do not argue, and Payne does not disclose, locating the transformer, the switchgear, *and* the pump on the same support structure, as the claims require.

Further as to Payne, Petitioners argue in reply that “Payne also discloses additional switchgear on the pump transport.” Reply, 6 (citing Pet., 70, 71–73). But the Petition cites no evidence in Payne of that disclosure. Instead, Petitioners cited only to their expert’s declaration. *See* Pet., 73 (citing EX-1003, ¶¶ 324–27). None of those paragraphs state that Payne discloses a switchgear on the same support structure as the pump. At best for Petitioners, Dr. Durham merely states that Payne discloses switchgears that are “part of the operating mechanisms for the fracturing pump.” EX-1003, ¶ 326. But the “operating mechanisms” for the pump may be located remotely from the pump, and Dr. Durham does not testify otherwise. And fundamentally, the “operating mechanisms” in Payne relied on by Dr. Durham are not identified as being switchgear—Payne discloses “switchgear modules 200a, 200b” (see EX-1013, [0044]) with reference to Figures 1, 2A, and 2B, but never states that the mechanisms shown in Figure 3 and relied on by Dr. Durham are part of a switchgear. Payne teaches that the switchgears are for “protecting and isolating the electrical equipment.” *Id.* The “operating mechanisms,” in contrast, are used to control the fracturing pump unit. *Id.*, [0047].

Turning next to the Premset Catalog (EX-1007) and Premset Brochure (EX-1008), they teach only switchgear units. Petitioners’ argument concerning these

references is only that they describe “modular” and “compact” switchgears. Pet., 39. Thus, Petitioners also concede that neither reference discloses a switchgear on a common support structure with pumps, transformers, or VFDs. *See* EX-1007, EX-1008.

Thus, at a minimum, none of the asserted references teach the switchgear on a common support structure with the pump. Accordingly, a claim limitation is wholly missing from the prior art, and all of Petitioners' Grounds fail for at least this reason. *Motorola, Inc. v. Interdigital Tech. Corp.*, 121 F.3d 1461, 1473 (Fed. Cir. 1997) (holding that “because no combination of prior art references for obviousness describes the four particular functions recited in the claim,” the obviousness finding must be overturned).

B. The Petition Fails to Provide Any Motivation to Combine the Asserted References and Suffers from Hindsight Bias, Especially Given the Asserted References' Teaching of the Advantages of Maintaining a Dedicated Switchgear Trailer

As explained above, a key claim limitation is completely missing from the prior art. It is textbook hindsight to accept Petitioners' argument that a POSITA would have been motivated to modify the prior art to arrive at the missing limitation. As explained above, Petitioners cited five separate prior art references in attacking claim 1 but could not show that any disclosed at least putting the switchgear and the pump on the same support structure. And Petitioners identified

a myriad of other references in the Grounds as well, yet they pointed to none of those references as disclosing the missing limitation.

This lack of disclosure in the prior art is telling evidence that the limitation in question would ***not*** have been obvious to a POSITA. *Metalcraft of Mayville, Inc. v. The Toro Co.*, 848 F.3d 1358, 1367 (Fed. Cir. 2017) (“[W]e cannot allow hindsight bias to be the thread that stitches together prior art patches into something that is the claimed invention.”); *In re Van Wanderham*, 378 F.2d 981, 987 (C.C.P.A. 1967) (“If those skilled in the mechanical arts are working in a given field and have failed to discover a certain new and useful improvement, ***the one who first makes the discovery frequently has done more than make an obvious improvement*** which would have suggested itself to a mechanic skilled in the art, and such an invention is entitled to the grant of a patent thereon.”). As explained in the POR, the Examiner during prosecution had access to much of the same prior art yet identified the “common support structure” as a key limitation in allowing the claims.¹ POR, 11–25. Patent Owner respectfully submits that Petitioners have failed to come forward with enough evidence to show that the Examiner’s analysis was erroneous.

¹ All emphasis added herein.

Moreover, Patent Owner explained that the prior art did not provide the motivation to modify the asserted references to arrive at the claimed invention. POR, 31–36. The references teach the advantages of maintaining a dedicated switchgear trailer—which at least counterbalances any alleged motivation for a POSITA to abandon use of a separate switchgear trailer. What is left, as discussed above, is that Petitioners' proposed modification improperly uses the 878 Patent claims as a blueprint. *Interconnect Planning Corp. v. Feil*, 774 F.2d 1132, 1143 (Fed. Cir. 1985) (holding that it is insufficient to select from the prior art the separate components of the inventor's combination, using the blueprint supplied by the inventor); *see also KSR Int'l Co. v. Teleflex Inc.*, 550 U.S. 398, 418 (2007) (“[A] patent composed of several elements is not proved obvious merely by demonstrating that each of its elements was, independently, known in the prior art.”).

To that end, at bottom Petitioners' alleged motivation comes down to vague references to “modular and compact” switchgears, “autonomous” trailers, and “scalable and flexible” fracturing fleets. Pet., 38–39. But none of these alleged advantages address the precise motivation required here—to put the switchgear on the same support structure as the pump. Instead of parroting the novelty and advantages of the 878 Patent, Petitioners and their expert should have provided an analysis persuasively explaining why a POSITA would have been motivated *to do*

what none of the asserted references do, which is to move the switchgear from its dedicated, stand-alone trailer onto a trailer with the pumps, transformers, and VFD.

Without doing so, the Petition's purported motivations for advantages, improvements, or design incentives are based on impermissible hindsight.

Stevenson v. Int'l Trade Comm'n, 612 F.2d 546, 554 (C.C.P.A. 1979) ("To read into the up-swept tail of the rocker board the teachings of appellant's kicktail is precisely the hindsight reasoning cautioned against in *Graham v. John Deere*[").

Simplicity and hindsight are not proper criteria for resolving the issue of obviousness."). As the Court of Customs and Patent Appeals held in *In re Van Wanderham*:

We think this case is one of that category of inventions which, ***when viewed after disclosure and explanation by an applicant, seem simple and such as should have been obvious to those in the field.*** ***Yet this does not necessarily negative [sic, negate] invention or patentability.*** Indeed, ***simplicity may even be some evidence of invention.*** The fact that the invention seems simple after it is made is not determinative of the question of obviousness. If this were the rule, many of the most beneficial patents would be stricken down. If those skilled in the mechanical arts are working in a given field and have failed to discover a certain new and useful improvement, the one who first makes the discovery frequently has done more than make an obvious improvement which would have suggested itself to a

mechanic skilled in the art, and such an invention is entitled to the grant of a patent thereon.

378 F.2d 981, 987 (C.C.P.A. 1967) (internal citations omitted). And as the Federal Circuit held in *InTouch Technologies, Inc. v. VGO Communications, Inc.*:

[Expert] testimony was nothing more than impermissible hindsight; she opined that all of the elements of the claims disparately existed in the prior art, but failed to provide the glue to combine these references. While she opined that the references were like separate pieces of a simple jigsaw puzzle, she did not explain what reason or motivation one of ordinary skill in the art at the time of the invention would have had to place these pieces together.

751 F.3d 1327, 1348–49 (Fed. Cir. 2014).

Accordingly, Petitioners have failed to meet their burden to show that a POSITA would have been motivated to modify the prior art to arrive at limitation 1[g] (the common support structure). Petitioners' argument—that a POSITA would have combined three or four references together and modified the combination to put the switchgear on the same support structure as the pump—is a bridge too far and not supported in the law. *See* cases cited *supra*; *see also Arendi S.A.R.L. v. Apple Inc.*, 832 F.3d 1355, 1361 (Fed. Cir. 2016) (“Though less common, in appropriate circumstances, a patent can be obvious in light of a *single* prior art reference if it would have been obvious to modify that reference to arrive at the patented invention.”). Petitioners here ask the Board to go beyond the Federal

Circuit's obviousness law and apply a single-reference obviousness analysis to a combination of three or four references. For this reason alone, Petitioners have not shown any of the claims were obvious. And, as explained next, there is another independent reason why the claims have not been shown to be obvious.

II. A POSITA WOULD NOT HAVE FOUND IT OBVIOUS TO MOUNT A VARIABLE FREQUENCY DRIVE ON THE PUMP TRAILER

A. Petitioners Erroneously Allege Obviousness Because of Morris329, a Non-Asserted Reference

Petitioners allege that “the Morris329 reference that PO introduces reveals that Morris’s disclosure of ‘drives’ includes VFDs.” Reply, 12. Not so. First, Petitioners’ attempt to belatedly shoehorn Morris329 into the asserted Grounds should be rejected, as the Petition contains no reference to Morris329. *Intelligent Bio-Sys., Inc. v. Illumina Cambridge Ltd.*, 821 F.3d 1359, 1369 (Fed. Cir. 2016).

Second, Morris329 and Morris are *unrelated* (i.e., not part of the same family). Indeed, the only reference Morris lists in its “Related U.S. Application Data” section is Provisional Application No. 62/713,393, which is unrelated to Morris329, or any applications related to Morris329. EX-1004, Face. Further, the only application Morris claims the benefit of and/or incorporates by reference is Provisional Application No. 62/713,393, which is unrelated to Morris329 or any applications related to Morris329. *Id.*, ¶ 1. Petitioners’ assertion that an unrelated publication discloses any content in Morris—“VFD” or otherwise—is unfounded

in the law. *Droplets, Inc. v. E*TRADE Bank*, 887 F.3d 1309, 1318 (Fed. Cir. 2018) (“Incorporation by reference provides a method for integrating material from various documents into a host document ... by citing such material in a manner that makes clear that the material is effectively part of the host document as if it were explicitly contained therein.... To incorporate material by reference, the host document must identify with detailed particularity what specific material it incorporates and clearly indicate where that material is found in the various documents.”) (internal quotations and citations omitted). Accordingly, Petitioners’ argument that Morris discloses a VFD because of unrelated Morris329 disclosures should be given no weight. *Id.*

Petitioners’ argument that Morris329’s disclosures somehow validate Dr. Durham’s testimony are no better, given that Dr. Durham admits the industry used various drives for electric motors that are not variable frequency.

Q: So a POSITA would recognize that, for example, fixed frequency drives were known in the art at the time of the ’878 patent invention. Right?

A: Oh, certainly. I can agree with that for sure.

Q: And fixed frequency drives for use in hydraulic fracturing were known in the art at the time of the ’878 patent invention. Right?

A: Yes, I agree with that.

EX-2012, 31:14–32:1. Dr. Durham's testimony demonstrates that Morris's vague use of the term "drive" does not disclose a VFD given Dr. Durham's clear testimony to the contrary that the industry used various drives for electric motors that are not variable frequency. *Id.*; see *In re Jones*, 958 F.2d 347, 350 (Fed. Cir. 1992) (rejecting argument that a disclosure of a genus renders obvious any species that happens to fall within it).

B. Petitioners Admit the Availability of Fixed Frequency Drives and Downplay Their Burden of Showing Invalidity by a Preponderance-of-the-Evidence Standard Compared to the Lower Reasonable-Likelihood Standard in the Board's Institution Decision

Petitioners admit to "[t]he availability of an alternative option in FFDs [i.e., fixed frequency drives]." Reply, 14. Petitioners' admission further shows that Morris's reference to "drives" does not disclose a variable frequency drive. *Id.* Further, Petitioners' allegation that "[t]he Board already considered PO's 'could/would' argument" (Reply, 15) ignores the different "reasonable likelihood" standard at the institution stage compared with the "preponderance of the evidence" standard at the final written decision stage. *Fanduel, Inc. v. Interactive Games LLC*, 966 F.3d 1334, 1340 (Fed. Cir. 2020) ("There is nothing inherently inconsistent about the Board instituting IPR on obviousness grounds and then ultimately finding that the petitioner did not provide preponderant evidence that the challenged claim was obvious."). Indeed, at the final written decision stage, the

Board has “the benefit of the full record,” including Dr. Durham’s admissions that fixed frequency drives were common in the hydraulic fracturing industry as discussed above. *Trivascular, Inc. v. Samuels*, 812 F.3d 1056, 1068 (Fed. Cir. 2016) (“[T]he Board is ***not bound by any findings made in its Institution Decision***. At that point, the Board is considering the matter preliminarily ***without the benefit of a full record***. The Board is free to change its view of the merits after further development of the record, and should do so if convinced its initial inclinations were wrong.”); EX-2012, 31:14–32:1.

Ultimately, it was Petitioners’ burden to show, not merely that VFDs were known in the art, but instead that a POSITA would have been motivated to modify the prior art to arrive at the claimed invention. *See* POR, 42–47. Petitioners simply ignore the evidence detailed in the POR concerning the advantages of fixed frequency drives, POR, 39–42 and thus have failed to show that a POSITA would have (not merely could have) modified the prior art in the way Petitioners propose. *Jones*, 958 F.2d at 351 (holding that what was “conspicuously missing” from the record was any evidence, other than speculation, that a POSITA “would have been motivated to make the modifications” to the prior art). For this reason, also, Petitioners have not met their burden of showing any of the claims are obvious.

III. PRATT IS NON-ANALOGOUS ART, AND A POSITA WOULD NOT HAVE COMBINED PRATT WITH MORRIS

A. Pratt Is Not in the Same Field of Endeavor as the 878 Patent, and Petitioners Have Not Met Their Burden of Showing By a Preponderance of the Evidence That Pratt Is Pertinent to Cabling Problems in the 878 Patent

Petitioners' argument that "Pratt is in the same field of endeavor" as the 878 Patent and "reasonably pertinent to cabling problems" of the 878 Patent fails for numerous reasons. Reply, 17, 20. **First**, Petitioners improperly rely on Pratt's discussion of admitted prior art usage and attributing such usage to Pratt. For example, Petitioners allege that "Pratt's "cable racks or trays are used in various industries to support a plurality of cables ... for transmitting ... electrical power to various locations, both indoors and outdoors, in a building, plant, refinery, or other facility." Reply, 17–18 (citing EX-1011, 1:14–18 in support). But here Petitioners wholly rely on Pratt's prior art admissions regarding "conventional cable racks" and their usage "in various industries," *not Pratt's usage* in such industries. EX-1011, 1:14–18. Indeed, as identified in the POR, Pratt is not "in the field of art" of the 878 Patent, which is switchgear and power distribution systems *mounted on a transport trailer* for use in *hydraulic fracturing operations*." POR, 49. And the Federal Circuit has explained that a "[prior art reference] is not in the same field of endeavor as the claimed subject matter merely because it relates to [overlapping subject matter]." *Wang Lab'ys, Inc. v. Toshiba Corp.*, 993 F.2d 858, 864–65 (Fed.

Cir. 1993) (finding sufficient evidence that “the prior art and the claimed subject matter [were] not in the same field of endeavor” where both related to memory chips because there were substantial differences in “their intended industrial environment”).

Second, Petitioners have not met their burden of showing Pratt is reasonably pertinent to the 878 Patent's solution to the problem of managing cables on the Common Support Structure for use in hydraulic fracturing operations. Indeed, Petitioners point to no Pratt teachings related to the unique challenges of the hydraulic fracturing operations environment or transport trailer applications. *See* Reply, 17–23. Petitioners' argument that Pratt is reasonably pertinent to the 878 Patent's solution thus fails because they fail to account for the substantial differences between Pratt and the “intended industrial environment” of the 878 Patent. *Wang Lab'ys, Inc.*, 993 F.2d 858 at 865 (finding “substantial evidence in the record to support a finding that the ... prior art [reference was] not reasonably pertinent and not analogous” to the claimed invention “because of [differences between] their intended industrial environment”). Petitioners have thus not met their burden of showing that Pratt is analogous art to the 878 Patent or reasonably pertinent to the claimed invention of the 878 Patent.

B. Petitioners Fail to Show That a POSITA Would Have Been Motivated to Combine Pratt and Morris

As an initial matter, Petitioners argue that Patent Owner “improperly address[es] Morris” and “focuses narrowly on isolated disclosures from Morris,” but it is not error for Patent Owner to focus its rebuttal argument on Petitioners’ motivation to combine arguments. *Immunex Corp. v. Sandoz Inc.*, 964 F.3d 1049, 1067 (Fed. Cir. 2020) (noting it was not error for the district court to focus its motivation-to-combine analysis according to the focus of the accused infringer’s motivation-to-combine arguments). Indeed, Petitioners focus their arguments on the problems identified in Morris instead of focusing on solving the problems expressly stated by the inventors of the 878 Patent—arranging cables “along the platform 900 [of the Common Support Structure] to reduce the likelihood of damage.” EX-1001, 14:26–28. Petitioners instead analyze a different issue—the problems discussed in Morris regarding *cable connections between the transports that Pratt’s cable trays would not solve*. For example, Petitioners allege:

Morris describes numerous cable connections at various voltages—for AC power, DC power, and communications—at an electric-powered drilling site. EX1004, [0019], [0031]; EX1005, [0018], [0024]. So much so that *Morris* “*reduce[s] the number of electrical cables*” by supplying power at medium voltage. EX1004, [0027]-[0029]; EX1005, [0022]-[0023]. A POSITA seeking to manage cables in fracturing operations, *a problem in Morris*, would look naturally to

cable management solutions—such as *Pratt's cable tray walkway*—to manage numerous cables safely and efficiently. EX1003, ¶¶281-82.

Pet., 60–61. But as explained in the POR, a POSITA would not be motivated to implement Pratt's cable trays on the claimed Common Support Structure as a solution to managing the number of cables *between transports* because the cables in the claimed invention are on the same support structure, not extending between multiple support structures (i.e., between transports). POR, 51.

Petitioners next allege—in a conclusory manner—that “[a] POSITA would also have known to minimize cable wear, tear, and corrosion.” Pet., 61. But that is not relevant to the issue addressed by the claimed invention. Indeed, Petitioners cite no support in Morris addressing any intra-transport cabling problems that would have motivated a POSITA to include Pratt's cable walkway and/or tray. And Petitioners' vague, conclusory statement that “[a] POSITA would also have known to minimize cable wear, tear, and corrosion” followed by assertions regarding Pratt's techniques are of little merit. Indeed, it is well established that merely showing that two inventions are “directed to the same art or techniques” is insufficient evidence of motivation to combine. *Microsoft Corp. v. Enfish, LLC*, 662 F. App'x 981, 990 (Fed. Cir. 2016) (finding insufficient motivation to combine where references “addressed the same technical issues and disclosed closely related subject matters” because accused infringer did not “show persuasively that

a relevant artisan would have recognized some deficiency in one reference or had some other reason to motivate looking to the other and combining them”). Here, Petitioners likewise have not shown “some deficiency” or “some other reason” why a POSITA would have incorporated Pratt with Morris, given Petitioners’ inter-transport focus as identified in the POR. POR, 51–54.

Next, Petitioners again rely on alleged problems in Morris regarding ***cable connections between the transports—autonomous or otherwise—that Pratt’s cable trays would not solve.*** Petitioners allege:

Morris further teaches that mobile and autonomous pump transports enable a scalable and flexible fracturing operation (EX1004, [0016]-[0017], [0034]; EX1005, [0015]-[0016], [0026]), motivating mobile, repeatable cable management: operators cannot continually adjust cables manually. EX1003, ¶283; see also EX1012, Title, [0003], [0006] (providing “cable management” to “minimize space and time requirements for ***rig up and rig down***” because “electrical connection ... is time consuming”). A POSITA would have looked to Pratt’s cable trays to facilitate ***rapid pump transport setup and teardown***, as motivated by Morris. See EX1011, 2:11-14, 3:6-11.

Pet., 61–62. But a POSITA would not have been motivated to implement Pratt’s cable trays on the claimed Common Support Structure as a solution to “rig up and rig down,” and/or “setup and teardown,” on autonomous pump transports because,

as Patent Owner explained, these activities would primarily involve connecting and disconnecting cables that run *between* transports. POR, 51.

Lastly, Petitioners rely on alleged problems in Morris regarding “reduc[ing] physical footprint.” But Morris explains that this problem involves “mounting the drives and transformers ... onto the fracturing pump transport ... and the transformer ... on the hydration-blender transport” to “remov[e] the need for other separate support-based trailers” (EX-1004, ¶ 34), which implementing Pratt’s cable trays for intra-transport cabling would not solve. POR, 51. A POSITA would thus not have been motivated to combine Pratt with Morris based on the alleged “physical footprint” problem.

IV. CONCLUSION

For the above reasons, Patent Owner respectfully requests that the Board find that Petitioners failed to show the challenged claims are obvious by a preponderance of the evidence.

Dated: January 8, 2026

Respectfully submitted,

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CERTIFICATE OF COMPLIANCE

The undersigned certifies that this response complies with the word-count limitations of 37 C.F.R. § 42.24(c)(4). This response contains 4,286 words as calculated by the word-count feature of Microsoft Word, the word-processing program used to create it.

The undersigned further certifies that this Petition complies with the typeface requirements of 37 C.F.R. § 42.6(a)(2)(ii) and typestyle requirements of 37 C.F.R. § 42.6(a)(2)(iii). This petition has been prepared in a proportionally spaced typeface using Microsoft Word in Times New Roman 14-point font.

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Patent Owner's Sur-Reply

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I hereby certify that on this 8th day of January, 2026, I caused to be served a true and correct copy of the foregoing “**Patent Owner's Sur-Reply**” by electronic mail on the following:

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