

IN THE 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.

Case No. IPR2025-00139
Patent 11,208,878

**JOINT MOTION TO TERMINATE *INTER PARTES* REVIEW OF U.S.
PATENT NO. 11,208,878 UNDER 35 U.S.C. § 317 AND 37 C.F.R. § 42.72**

EXHIBIT LIST

Exhibit No.	Description
1001	U.S. Patent No. 11,208,878 to Jared Oehring <i>et al.</i> , “Modular switchgear system and power distribution for electric oilfield equipment” (the “’878 Patent”), filed October 9, 2019, issued on December 28, 2021.
1002	File History for U.S. Patent No. 11,208,878.
1003	Declaration of Dr. Robert Durham
1004	U.S. Patent Publication No. 2020/0040705 to Morris <i>et al.</i> , “Switch gear transport that distributes electric power for fracturing operations” (“ <i>Morris</i> ”), filed July 24, 2019, published on June 14, 2022, and claiming priority to a <i>Morris Provisional</i> filed on August 1, 2018.
1005	U.S. Provisional Application No. 62/713,393 to Morris <i>et al.</i> , “Electric Drive Pump for Well Stimulation,” (“ <i>Morris Provisional</i> ”) filed August 1, 2018.
1006	U.S. Patent Publication No. 2017/0222409 to Oehring <i>et al.</i> , “Switch gear load sharing for oil field equipment” (“ <i>Oehring IV</i> ”), filed April 4, 2017, published August 3, 2017.
1007	Schneider Premset Catalog (“ <i>Premset Catalog</i> ”), available May 3, 2017.
1008	Schneider Premset Brochure (“ <i>Premset Brochure</i> ”), available May 4, 2014.
1009	NFPA 70 ®, The National Electric Code®, issued July 16, 2004.
1010	PCT International Patent Publication No. WO 2018/201118 to Orban <i>et al.</i> , “Integrated power and electronics unit for drilling machine” (“ <i>Orban</i> ”), filed April 30, 2018, published November 1, 2018.
1011	U.S. Patent No. 5,042,756 to Robert Pratt, “Flip-flop cable tray walkway” (“ <i>Pratt</i> ”), filed March 20, 1990, issued on August 27, 1991.

Exhibit No.	Description
1012	U.S. Patent Publication No. 2016/0273328 to Jared Oehring, “Cable Management of Electric Powered Hydraulic Fracturing Pump Unit” (“ <i>Oehring II</i> ”), filed May 3, 2016, and published on September 22, 2016.
1013	U.S. Patent Publication No. 2016/0258267 to Payne <i>et al.</i> , “Well Fracturing Systems with Electrical Motors and Methods of Use,” filed Mar. 3, 2016, published September 8, 2016.
1014	U.S. Patent Publication No. 2016/0105022 to Jared Oehring, “System and Method for Parallel Power and Blackout Protection for Electric Powered Hydraulic Fracturing” (“ <i>Oehring III</i> ”), filed October 13, 2015, and published on April 14, 2016.
1015	U.S. Provisional Patent Application 62/743,360, Jared Oehring et al., “Automated Fracturing Pump System”, filed October 9, 2018.
1016	U.S. Provisional Patent Application 62/743,299, Jared Oehring et al., “Modular Switchgear System and Power Distribution for Electric Oilfield Equipment”, filed October 9, 2018.
1017	Complaint, <i>U.S. Well Services, LLC et al. v. Liberty Energy, Inc. et al.</i> , No. 4:24-cv-00839 (S.D. Tex. March 6, 2024)
1018	Plaintiff’s Motion for Leave to File the Second Amended Complaint, <i>U.S. Well Services et al. v. Liberty Energy Inc. et al.</i> , No. 4:24-cv-00839, Dkt. No. 46 (S.D. Tex. Sept. 19, 2024).
1019	<i>Interim Procedure for Discretionary Denials in AIA Post-Grant Proceedings with Parallel District Court Litigation</i> (June 21, 2022)
1020	Federal Court Management Statistics (June 30, 2024), available at < https://www.uscourts.gov/sites/default/files/data_tables/fcms_na_appprofile0630.2024.pdf >
1021	NFPA 70 Trademark Specimen filed October 10, 2007, Trademark Reg. No. 78913310.

Exhibit No.	Description
1022	Michael Eves, <i>SF6 Alternatives: A Literature Review on SF6 Gas Alternatives for use on the Distribution Network</i> , April 11, 2018.
1023	Affidavit of Christopher Butler, Internet Archive, regarding EX1007 and EX1008
1024	Affidavit of Christopher Butler, Internet Archive, regarding ABB URLs.
1025	Declaration of Michael Eves.
1026	Intentionally Omitted
1027	PREMSET Trademark Registration No. 87032738, Statement of Use and Specimen, dated February 14, 2018.
1028	Claim Listing for Claims of U.S. Patent No. 11,208,878 to Jared Oehring <i>et al.</i> , “Modular switchgear system and power distribution for electric oilfield equipment” (the “’878 Patent”), filed October 9, 2019, issued on December 28, 2021.
1029	Lionel B. Roe, PRACTICES AND PROCEDURES OF INDUSTRIAL ELECTRICAL DESIGN (McGraw-Hill: 1972), ISBN: 0-07-053390-3 (“ <i>Roe</i> ”)
1030	John A. Camara, ELECTRICAL ENGINEERING REFERENCE MANUAL FOR THE ELECTRICAL AND COMPUTER PE EXAM, 6 th ed. (Professional Publications, Inc.: 2002), ISBN: 1-888577-56-8 (“ <i>EE-Reference</i> ”)
1031	U.S. Patent No. 1,743,771 to Hall <i>et al.</i> , entitled “System of Electric Distribution” (filed March 25, 1926 and issued January 14, 1930) (“ <i>Hall</i> ”)
1032	IEEE100: THE AUTHORITATIVE DICTIONARY OF IEEE STANDARDS TERMS, 7 th ed. (IEEE Press: 2000), ISBN: 0-7381-2601-2 (“ <i>IEEE Standards Dictionary</i> ”)
1033	Donald G. Fink, STANDARD HANDBOOK FOR ELECTRICAL ENGINEERS, 13 th ed. (McGraw-Hill, New York: 1993), ISBN: 0-07-020984-7 (“ <i>Fink</i> ”)

Exhibit No.	Description
1034	U.S. Patent Publication No. 2011/0241590 to Horikoshi <i>et al.</i> , entitled “Motor Driving Apparatus Having Fault Diagnostic Function” (filed Feb. 11, 2011 and published Oct. 6, 2011) (“ <i>Horikoshi</i> ”).
1035	U.S. Patent Publication No. 2012/0255734 to Coli <i>et al.</i> , entitled “Mobile, Modular, Electrically Powered System for Use in Fracturing Underground Formations” (filed April 6, 2012 and published Oct. 11, 2012).
1036	U.S. Patent No. 9,410,410 to Broussard <i>et al.</i> , entitled “System for Pumping Hydraulic Fracturing Fluid using Electric Pumps” (filed Nov. 16, 2012 and issued Aug. 9, 2016)
1037	“Adjustable Frequency Drives,” <i>Eaton</i> , archived at https://web.archive.org/web/20171114050055/http://www.eaton.com/ecm/idcplg?IdcService=GET_FILE&allowInterrupt=1&RevisionSelectionMethod=LatestReleased&noSaveAs=0&Rendition=Primary&dDocName=PCT_1317113 (November 14, 2017).
1038	“Header” definition. Norman J. Hyne, <i>Dictionary of Petroleum, Exploration, Drilling, and Production</i> (1991).
1039	U.S. Patent No. 2,533,001 to Everett Eberhard, “Flip-Flop Counter Circuit” (“ <i>Eberhard</i> ”), filed April 30, 1949, issued December 5, 1950.
1040	C. M. Chang, “An N-P-N high power fast germanium core driver transistor,” <i>1957 International Electron Devices Meeting</i> , Washington, DC, USA, 1957, pp. 114-114, doi: 10.1109/IEDM.1957.187057 (“ <i>Chang</i> ”).
1041	F. B. Golden, “Liquid Cooling of Power Thyristors,” <i>IEEE Transactions on Industry Applications</i> , vol. IA-8, no. 5, pp. 601-606, Sept. 1972, doi: 10.1109/TIA.1972.349789 (“ <i>Golden</i> ”).
1042	A. H. Iversen and S. Whitaker, “A uniform temperature, ultra high heat flux liquid cooled, power semiconductor package,” <i>Conference Record of the IEEE Industry Applications Society Annual Meeting</i> , San Diego, CA, USA, 1989, pp. 1340-1347 vol.2, doi: 10.1109/IAS.1989.96817 (“ <i>Iverson and Whitaker</i> ”).

Exhibit No.	Description
1043	Hefner, A. R. 1992. “A dynamic electro-thermal model for the IGBT.” In <i>Conference Record of the 1992 IEEE Industry Applications Society Annual Meeting</i> , 1094-104 vol.1 (“Hefner”).
1044	Guidance on USPTO’s Recission of “Interim Procedure for Discretionary Denials in AIA Post-Grand Proceedings with Parallel District Court Litigation” (March 24, 2025)
1045	Defendants’ Motion to Stay Pending <i>Inter Partes</i> Review, <i>U.S. Well Services, LLC et al. v. Liberty Energy, Inc. et al.</i> , No. 4:24-cv-00839 (S.D. Tex. March 19, 2025)
1046	Notice of Hearing, Doc. 84, <i>U.S. Well Services, LLC et al. v. Liberty Energy, Inc. et al.</i> , No. 4:24-cv-00839 (S.D. Tex. Apr. 1, 2025)
1047	Federal Court Management Statistics (December 31, 2024), available at < https://www.uscourts.gov/sites/default/files/2025-02/fcms_na_distprofile1231.2024.pdf >
1048	USWS v. Liberty (SDTX) - Email Production and Schedule
1049	Deposition Transcript of Dr. Michael Nikolaou (December 5, 2025)
1050	“Module.” The American Heritage Dictionary (2012).
1051	Confidential Settlement Agreement

Pursuant to 35 U.S.C. § 317(a), 37 C.F.R. § 42.72, and 37 C.F.R. § 42.74, Liberty Energy, Inc. and Liberty Oilfield Services LLC (“Petitioners”), and U.S. Well Services LLC (“Patent Owner”) (collectively, the “Parties”) jointly move to terminate the above-captioned *inter partes* review proceeding pursuant to the Parties’ settlement of their dispute related to the challenged patent, U.S. Patent No. 11,208,878 (the “’878 Patent”). This joint motion was authorized by the Board in its email dated March 23, 2026.

Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(b), Petitioners and Patent Owner submit concurrently herewith a true and correct copy of the Confidential Settlement Agreement governing the resolution of this *inter partes* review and the underlying litigation. *See* Exhibit 1051. There are no other agreements, written or oral, between the Parties made in connection with, or in contemplation of, the termination of this proceeding.

The parties are concurrently filing a joint request that the Confidential Settlement Agreement be treated as business confidential information, be kept separate from the file of the involved patent, and be made available only to Federal Government agencies on written request, or to any person on a showing of good cause pursuant to 35 U.S.C. § 42.74(c). In view of that request, Exhibit 1051 has been filed as available to “Parties and Board Only.”

I. ARGUMENT

A joint motion to terminate generally must “(1) include a brief explanation as to why termination is appropriate; (2) identify all parties in any related litigation involving the patents at issue; (3) identify any related proceedings currently before the Office; and (4) discuss specifically the current status of each such related litigation or proceeding with respect to each party to the litigation or proceeding.” *Heartland Tanning, Inc. v. Sunless, Inc.*, IPR2014-00018, Paper 26 at 2 (P.T.A.B. July 28, 2014).

A. Brief Explanation as to Why Termination Is Appropriate

Good cause exists to terminate this proceeding. “The Board expects that a proceeding will terminate after the filing of a settlement agreement, unless the Board has already decided the merits of the proceeding.” Patent Trial and Appeal Board Consolidated Trial Practice Guide (Nov. 2019) at 86; *see also id.* (“There are strong public policy reasons to favor settlement between the parties to a proceeding.”); 35 U.S.C. § 317(a) (“An inter partes review instituted under this chapter shall be terminated with respect to any petitioner upon the joint request of the petitioner and the patent owner, unless the Office has decided the merits of the proceeding before the request for termination is filed”). Here, the Parties respectfully submit that termination is appropriate because they have reached an agreement that resolves all disputes between the Parties involving the ’878 Patent at issue in the above-

captioned *inter partes* review and the Board has not issued an institution decision on remand, a final written decision, or decided the merits of the proceeding. The Parties agree that neither Petitioners nor Patent Owner will be prejudiced by termination of this proceeding. Terminating the proceeding now would serve the interests of judicial economy as well as the mutual interest of the parties.

Pursuant to 37 C.F.R. § 42.74(b), the Parties acknowledge that, as of the filing of this Motion, Exhibit 1051 represents the entire agreement or understanding between the Parties made in connection with, or in contemplation of, the termination of this proceeding, and further, that Exhibit 1051 is a true and accurate copy of the agreement between the Parties that resolves the present proceeding. The Parties certify that there are no other written or oral agreements or understandings, including any collateral agreements, between them, including but not limited to licenses, covenants not to sue, confidentiality agreements, payment agreements, or other agreements of any kind that have been made in connection with or in contemplation of the termination of the instant proceeding.

B. Identification of Parties and Status of Litigation

The underlying district court litigation between the Parties, captioned *U.S. Well Services, LLC, et al v. Liberty Energy, Inc. et al*, 4:24-cv-00839-KPE (S.D. Tex.), will be dismissed pursuant to the Parties' Confidential Settlement Agreement. Patent Owner is the plaintiff in the district court litigation. Petitioners are named

defendants in the district court litigation and the only Petitioners in this proceeding, meaning that this proceeding can be terminated in its entirety pursuant to this motion.

C. Identification and Status of Proceedings Before the USPTO

The Parties have now resolved their dispute and reached agreement to terminate this proceeding as well as *inter partes* review proceeding IPR2025-00031 (concerning U.S. Patent No. 10,655,435) and IPR2024-01274 (concerning U.S. Patent No. 11,091,992). The Parties have also jointly moved to terminate IPR2025-00031 and IPR2024-01274. The USPTO can conserve its resources by terminating now, removing the need for the Board to further consider the arguments and to render a Final Written Decision.

Therefore, for the foregoing reasons, the parties jointly and respectfully request termination of the present proceeding, IPR2025-00139, without prejudice to either party.

Date: March 23, 2026

Respectfully submitted,
BAKER BOTTS L.L.P.



Chad C. Walters (Reg. No. 48,022)
2001 Ross Ave., Suite 900
Dallas, TX 75201-2980
Phone: (214) 953-6511
Fax: (214) 661-4511
chad.walters@bakerbotts.com
Lead Attorney for Petitioners

KING & SPALDING LLC

/Brian E. Ferguson/

Brian E. Ferguson (Reg. No. 36,801)
1700 Pennsylvania Avenue, N.W.
Washington, D.C. 20006
Phone: (202) 737-0500
Fax: (202) 626-3737
bferguson@kslaw.com
Counsel for Patent Owner

CERTIFICATE OF SERVICE

The undersigned hereby certifies on this 23rd day of March, 2026, that true and correct copies of the foregoing JOINT MOTION TO TERMINATE and Exhibit 1051 were served in their entirety on Patent Owner via electronic mail at the following addresses:

bferguson@kslaw.com

tboyce@kslaw.com

Date: March 23, 2026

BAKER BOTTS L.L.P.



Chad C. Walters (Reg. No. 48,022)

Lead Attorney for Petitioner