

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

LIBERTY ENERGY, INC. and LIBERTY OILFIELD SERVICES LLC,
Petitioner,

v.

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

IPR2025-00031 (Patent 10,655,435 B2)
IPR2025-00139 (Patent 11,208,878 B2)

Before MEREDITH C. PETRAVICK, GEORGE R. HOSKINS, and
SEAN P. O'HANLON, *Administrative Patent Judges*.

HOSKINS, *Administrative Patent Judge*.

TERMINATION
Due to Settlement After Institution of Trial
35 U.S.C. § 317; 37 C.F.R. § 42.74

I. INTRODUCTION

With the Board’s prior email authorization, Petitioner and Patent Owner (collectively “the Parties”) filed a Joint Motion to Terminate in both of these two proceedings, due to settlement. *See* IPR2025-00031, Paper 39 (“Joint Motion”); IPR2025-00139, Paper 36. In support of the Joint Motions, the Parties filed a Settlement Agreement (IPR2025-00031, Ex. 1036; IPR2025-00139, Ex. 1051), as well as a Joint Request to File the Settlement Agreement as Business Confidential Information Pursuant to 35 U.S.C. § 317(b) and 37 C.F.R. § 42.74(c) (IPR2025-00031, Paper 40 (“Joint Request”); IPR2025-00139, Paper 37).

II. DISCUSSION

In the Joint Motion, the Parties represent they have reached an agreement to jointly seek termination of these two *inter partes* review proceedings, and that the filed copy of the Settlement Agreement is a true and complete copy. *See* Joint Motion 5, 7. The Parties further represent that their Settlement Agreement resolves all currently pending Patent Office and District Court proceedings between the Parties involving the two challenged patents at issue. *See id.* at 5, 6–8.

We have not yet decided the merits of either of these two proceedings, and no final written decision has been entered. Notwithstanding that the proceedings have moved beyond the preliminary stage, the Parties have shown adequately that termination of the proceedings is appropriate. Under these circumstances, we determine that good cause exists to terminate the proceedings with respect to the Parties.

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The Parties also filed a Joint Request that the Settlement Agreement be treated as business confidential information and be kept separate from the file of the patents involved in these two proceedings. *See* Joint Request. After reviewing the Settlement Agreement between Petitioner and Patent Owner, we find it contains confidential business information regarding the terms of settlement. We determine good cause exists to treat the Settlement Agreement as business confidential information pursuant to 37 C.F.R. § 42.74(c).

This Order does not constitute a final written decision pursuant to 35 U.S.C. § 318(a).

III. ORDER

Accordingly, for the reasons discussed above, it is:

ORDERED that the Joint Motion to Terminate is *granted* in each proceeding, and both proceedings are *terminated*;

FURTHER ORDERED that the Joint Request to Keep Confidential and Separate is *granted*, and the Settlement Agreement shall be kept separate from the files of U.S. Patent No. 10,655,435 B2 and U.S. Patent No. 11,208,878 B2 and made available only to Federal Government agencies on written request, or to any person on a showing of good cause, pursuant to 37 C.F.R. § 42.74(c).

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