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Paper 12
Date: July 17, 2025

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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LIBERTY ENERGY INC. AND LIBERTY OILFIELD SERVICES LLC
Petitioner,

v.

U.S. WELL SERVICES, LLC
Patent Owner.

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IPR2025-00661
Patent 11,459,863 B2

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

REIMERS, *Administrative Patent Judge*.

DECISION
Termination Prior to Institution of Trial
*37 C.F.R. § 42.74*

## I. INTRODUCTION

With the Board's authorization, Liberty Energy Inc. and Liberty Oilfield Services LLC ("Petitioner") filed an Unopposed Motion to Terminate in the above-identified proceeding. Paper 10 ("Unopposed Motion"). U.S. Well Services, LLC ("Patent Owner") does not oppose this motion. *See id.* Prior to Petitioner's filing of the Unopposed Motion, Patent Owner filed a Covenant Not to Sue with respect to U.S. Patent No. 11,459,863 (the "'863 Patent"). EX. 2002 ("Covenant Not to Sue").

## II. DISCUSSION

Petitioner filed a motion to terminate this proceeding in light of Patent Owner's Covenant Not to Sue. Unopposed Motion 1; EX. 2002. Petitioner indicates that Patent Owner does not oppose this motion. Unopposed Motion 1. Petitioner also indicates that there is no other settlement or other agreement between Petitioner and Patent Owner (collectively, "the Parties") with respect to the '863 Patent or this proceeding and that there is no other litigation or proceeding between the Parties involving the '863 Patent. *Id.* Petitioner further indicates that no public interest or other factors militate against termination of this proceeding. *Id.*

This proceeding is at an early stage, and we have not yet decided whether to institute a trial. In view of the early stage and agreement between the Parties, we determine that good cause exists to dismiss the Petition and terminate the proceeding with respect to the Parties.

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

## III. ORDER

Accordingly, it is:

ORDERED that the Unopposed Motion to Terminate is *granted*, the Petition is dismissed, and the proceeding is *terminated* with respect to Petitioner and Patent Owner.

FOR PETITIONER:

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