

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

PROFRAC HOLDING CORPORATION and
U.S. WELL SERVICES, LLC,
Petitioners,

v.

HALLIBURTON ENERGY SERVICES, INC.,
Patent Owner.

Case PGR2023-00023
Patent 11,373,058 B2

PATENT OWNER'S REQUEST FOR ORAL ARGUMENT

Pursuant to the Board’s November 1, 2023 Scheduling Order (Paper 10) and 37 C.F.R. § 42.70(a), Patent Owner Halliburton Energy Services, Inc. (“Patent Owner”) respectfully requests oral argument. Oral argument is currently scheduled for August 14, 2024 in this proceeding. *See* Paper 10 (Scheduling Order) at 11. Patent Owner respectfully requests 60 minutes per side (120 minutes total) to address the issues in this proceeding. Patent Owner specifies the following issues (without waiving consideration of any issue not listed below) to be argued:

1. Whether Claims 1-4, 6-7, 9-12, 14, and 16-19 of U.S. Patent No. 11,373,058 (the “’058 Patent”) are rendered obvious under 35 U.S.C. § 103 based on *Pankaj* in view of *Payne* as alleged in Ground 1 of the Petition.
2. Whether Claims 5, 6, and 13 of the ’058 Patent are rendered obvious under 35 U.S.C. § 103 based on *Pankaj* and *Payne* in further view of *Dawson* as alleged in Ground 2 of the Petition.
3. Whether Claims 8, 15, and 20 of the ’058 Patent are rendered obvious under 35 U.S.C. § 103 based on *Pankaj* and *Payne* in further view of *Lecerf* as alleged in Ground 3 of the Petition.
4. Whether Claims 3, 11, and 18 of the ’058 Patent are rendered obvious under 35 U.S.C. § 103 based on *Pankaj* and *Payne* in further view of *Klumpen* as alleged in Ground 4 of the Petition.

5. Whether Claims 1-20 of the '058 Patent are patent-ineligible under 35 U.S.C. § 101 as alleged in Ground 5 of the Petition.
6. The parties' respective claim construction positions.
7. Any motion pending at the time of the argument.
8. Any issues specified by the Petitioners in a request for oral argument.
9. Any additional issues on which the Board seeks clarification.

Patent Owner requests that the oral argument be conducted remotely via videoconference with the capability to display documents, including demonstratives and exhibits, to the Board.

This filing is timely, being submitted no later than DUE DATE 4 (June 21, 2024), according to the Scheduling Order (Paper 10 at 11).

CONCLUSION

In light of the remarks herein, Patent Owner respectfully requests the opportunity to have an oral argument before the Board. If the Board has any questions, comments, or suggestions, the undersigned attorney requests a telephone conference to discuss.

Dated: June 21, 2024

Respectfully submitted,

BAKER BOTTS L.L.P.

/Chad C. Walters/

Chad C. Walters (Reg. No. 48,022)
Lead Counsel for Patent Owner

CERTIFICATE OF SERVICE

In accordance with 37 C.F.R. § 42.6(e), the undersigned certifies that on the 21st day of June, 2024, a complete and entire copy of this **PATENT OWNER'S REQUEST FOR ORAL ARGUMENT** was served on Petitioner via electronic mail at the following addresses:

beferguson@winston.com

mhopkins@winston.com

tboyce@winston.com

PGR-Profrac-USWell@winston.com

BAKER BOTTS L.L.P.

/Chad C. Walters/
Chad C. Walters (Reg. No. 48,022)
Lead Counsel for Patent Owner

Date: June 21, 2024