

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

SCIENTIFIC DRILLING INTERNATIONAL, INC.,
Petitioner,

v.

GUNNAR LLLP,
Patent Owner.

PGR2025-00061
U.S. Patent No. 12,110,780

**PETITIONER'S SUR-REPLY TO PATENT OWNER'S REPLY BRIEF
REGARDING DISCRETIONARY DENIAL**

I. Introduction

Patent Owner's Reply Brief only alleges Donderici '534 and Donderici '301 are cumulative to Kuckes. Patent Owner offered no reply on discretionary denial being improper for Ground 1 (Lack of Written Description) and Ground 2 (Indefiniteness) or that Donderici '534 and Donderici '301 are new and not cumulative to Donderici/Moss '407 and '231. Further, Patent Owner is wrong and Donderici '534 and Donderici '301 are new and not cumulative to Kuckes.

II. Ground 3 – Donderici '534 Is Noncumulative of Kuckes

Donderici '534 discloses being “preferable (emphasis added), as at step D, to interrupt drilling during wellbore ranging in order to minimize noise levels that could interfere with ranging measurements.” (EX. 1002, 15:19-21). By contrast, Kuckes teaches “drilling is stopped (emphasis added),” which is required as the Patent Owner has argued during prosecution so that “a wireline is inserted into the drill string to deliver current downhole... then withdrawn, and drilling can be resumed.” (EX. 2001, 12:14-18; EX. 1006, p.6:ll.14-16).

Donderici '534 shows in FIG. 1 the current controlled transmitter with reference number 38 as a labeled box at surface and thus not downhole as Patent Owner alleges. (EX. 2001, FIG. 1). Further, a line in FIG. 1 connects the transmitter 38 to the control system 64, which has a line drawn going to the wellbore 28. (Id.). The specification recites the transmitter 38 is “positioned at the

surface with conducting wiring extending down to emitter electrode E, such as shown in FIG. 1 (emphasis added).” (EX1002, 7:31-38). This is materially different from the downhole power supply of Kuckes.

III. Ground 5 – Donderici ‘301 Is Noncumulative of Kuckes

Donderici ‘301 teaches “FIG. 1 is a diagram showing an illustrative logging while drilling environment,” meaning data is “collected during the drilling process, thereby avoiding any need to remove the drilling assembly to insert a wireline.” (EX. 1003, 1:51-53 and 3:43-46). In view of the LWD, drilling disclosed in Donderici ‘301 that “continues based, at least in part, on the one or more adjusted drilling parameters,” clarifies the conditions of unstopped drilling. (EX. 1003, 11:34-36). This disclosure is absent from Kuckes as discussed above.

Donderici ‘301 discloses “system control unit 104 may be positioned at the surface 105 as depicted in FIG. 1” and since “communicably coupled” (defined therein as a direct wired connection known to a POSITA) “may excite the survey electrode 130a by sending a command downhole to the downhole tool 111.” (EX. 1003, 5:24-28; 3:29-36 and 6:14-22). This is materially different from the downhole power supply of Kuckes.

IV. Conclusion

For the foregoing reasons, the Board should not discretionarily deny institution of the PGR under 35 U.S.C. §325(d).

Date: October 28, 2025

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CERTIFICATION OF SERVICE

I hereby certify that the above document was served on October 28, 2025,
via email to the attorney of record at the following address:

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