

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

Schlumberger Technology Corp.,

Petitioner,

v.

Halliburton Energy Services, Inc.,

Patent Owner.

Case No. IPR2018-00735

U.S. Patent No. 7,044,220

Case No. IPR2018-00736

U.S. Patent No. 7,228,904

STANDING PROTECTIVE ORDER

This standing protective order governs the treatment and filing of confidential information, including documents and testimony.

1. Confidential information shall be clearly marked “PROTECTIVE ORDER MATERIAL” or using such other designation that indicates the information is confidential.

2. Access to confidential information is limited to the following individuals who have executed the acknowledgment appended to this order:

(A) Parties. Persons who are owners of a patent involved in the proceeding and other persons who are named parties to the proceeding.

(B) Party Representatives. Representatives of record for a party in the proceeding.

(C) Experts. Retained experts of a party in the proceeding who sign the Acknowledgement.

(D) In-house counsel. In-house counsel of a party.

(E) Other Employees of a Party. Employees, consultants or other persons performing work for a party, other than in-house counsel and in-house counsel’s support staff, who sign the Acknowledgement shall be extended access to confidential information.

(F) The Office. Employees and representatives of the Office who have a need for access to the confidential information shall have such access

without the requirement to sign an Acknowledgement. Such employees and representatives shall include the Director, members of the Board and their clerical staff, other support personnel, court reporters, and other persons acting on behalf of the Office.

(G) Support Personnel. Administrative assistants, clerical staff, court reporters and other support personnel of the foregoing persons who are reasonably necessary to assist those persons in the proceeding shall not be required to sign an Acknowledgement, but shall be informed of the terms and requirements of the Protective Order by the person they are supporting who receives confidential information.

3. Persons receiving confidential information shall use reasonable efforts to maintain the confidentiality of the information, including:

(A) Maintaining such information in a secure location to which persons not authorized to receive the information shall not have access;

(B) Otherwise using reasonable efforts to maintain the confidentiality of the information, which efforts shall be no less rigorous than those the recipient uses to maintain the confidentiality of information not received from the disclosing party;

(C) Ensuring that support personnel of the recipient who have access to the confidential information understand and abide by the obligation to

maintain the confidentiality of information received that is designated as confidential; and

(D) Limiting the copying of confidential information to a reasonable number of copies needed for conduct of the proceeding and maintaining a record of the locations of such copies.

4. Persons receiving confidential information shall use the following procedures to maintain the confidentiality of the information:

(A) Documents and Information Filed With the Board.

(i) A party may file documents or information with the Board under seal, together with a non-confidential description of the nature of the confidential information that is under seal and the reasons why the information is confidential and should not be made available to the public. The submission shall be treated as confidential and remain under seal, unless, upon motion of a party and after a hearing on the issue, or sua sponte, the Board determines that the documents or information do not to qualify for confidential treatment.

(ii) Where confidentiality is alleged as to some but not all of the information submitted to the Board, the submitting party shall file confidential and non-confidential versions of its submission, together with a Motion to Seal the confidential version setting forth the reasons why the information redacted from the non-confidential version is confidential and should not be made available to the

public. The non-confidential version of the submission shall clearly indicate the locations of information that has been redacted. The confidential version of the submission shall be filed under seal. The redacted information shall remain under seal unless, upon motion of a party and after a hearing on the issue, or sua sponte, the Board determines that some or all of the redacted information does not qualify for confidential treatment.

(B) Documents and Information Exchanged Among the Parties.

Information designated as confidential that is disclosed to another party during discovery or other proceedings before the Board shall be clearly marked as “PROTECTIVE ORDER MATERIAL” or such other designation indicating that the information is confidential and shall be produced in a manner that maintains its confidentiality.

5. Standard Acknowledgement of Protective Order. The form attached as Appendix A may be used to acknowledge a protective order and gain access to information covered by the protective order.

Agreed upon by the parties.

Respectfully submitted,

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Date: May 29, 2018

Date: May 29, 2018

APPENDIX A

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Standard Acknowledgment for Access to Protective Order Material

I _____, affirm that I have read the Protective
Order;

that I will abide by its terms;

that I will use the confidential information only in connection with this
proceeding and for no other purpose;

that I will only allow access to support staff who are reasonably necessary to
assist me in this proceeding;

that prior to any disclosure to such support staff I informed or will inform
them of the requirements of the Protective Order;

that I am personally responsible for the requirements of the terms of the
Protective Order and I agree to submit to the jurisdiction of the Office and the
United States District Court for the Eastern District of Virginia for purposes of
enforcing the terms of the Protective Order and providing remedies for its breach.

SIGNED this _____ day of _____ 20____ at
_____.

(signature)

(print name)