

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS**

**TRANSOCEAN SEDCO FOREX  
VENTURES LIMITED**

**Plaintiff,**

v.

**THE OILGEAR COMPANY,**

**Defendant.**

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**CAUSE NO.**

**JURY TRIAL DEMANDED**

**COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Transocean Sedco Forex Ventures Limited (“Transocean”) brings this action against Defendant The Oilgear Company (“Oilgear”), for patent infringement and shows the following:

**THE PARTIES**

1. Plaintiff Transocean is a Cayman Islands company having a place of business at 70 Harbour Drive, 4<sup>th</sup> Floor, Grand Cayman, Cayman Islands, KY1-1003.

2. Defendant Oilgear is a for-profit company existing and organized under the laws of the State Wisconsin and registered to do business in the State of Texas. Oilgear has a principal place of business at 777 N. Eldridge Parkway, Suite 270, Houston, TX 77079. Oilgear can be served through its registered agent, Corporation Service Company d/b/a CSC-Lawyers Incorporation Service Company, 211 E. 7<sup>th</sup> Street, Suite 620, Austin, Texas 78701-3218.

**JURISDICTION AND VENUE**

3. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code §271 *et seq.*

4. This Court has exclusive subject matter jurisdiction over this lawsuit under 28 U.S.C. §§ 1331 and 1338(a), because it arises under the Patent Laws of the United States.

5. This Court has personal jurisdiction over Oilgear because it is registered to do business in the State of Texas and has sufficient contacts in the Southern District of Texas. Oilgear has sold and offered to sell the infringing product, and is selling and offering to sell the infringing product, in this District.

6. Venue is proper in this Court under 28 U.S.C. § 1391 and § 1400 because Oilgear resides and has a regular and established business within the Southern District of Texas. Oilgear also sells and offers to sell the infringing product in this District.

**COUNT I  
INFRINGEMENT OF U.S. PATENT NO. 10,240,430**

7. Transocean realleges and incorporates herein by reference the allegations in each of the preceding paragraphs as if fully set forth herein

8. Transocean has invested substantial time and money in research and development in the area of increasing pressure in subsea systems, and accumulators of the subsea systems, through the use of a supercharge cylinder. The supercharge cylinder generates higher pressures from an initial pressure provided from a surface vessel. In general, a supercharge cylinder includes a piston that can be stroked to increase pressure stored in accumulators located near subsea systems, such as a blowout preventer (BOP). The increased pressure provided by the supercharge cylinder allows the same number of accumulators to be used in the subsea system but allow additional effective hydraulic fluid to be stored in the accumulators.

9. As part of these efforts, on March 15, 2013, Transocean's predecessor in interest filed a provisional application with the United States Patent and Trademark Office describing increasing pressure in subsea systems, and accumulators of the subsea systems, through the use

of a supercharge cylinder. On March 26, 2019, the United States Patent and Trademark Office duly and legally issued United States Patent No. 10,240,430 (“the ’430 Patent”), which claims priority to the provisional application. A copy of the ’430 Patent is attached as **Exhibit 1**.

10. Transocean is the assignee and owns all right, title, and interest to the ’430 Patent.

11. Defendant makes, uses, offers to sell or sells within the United States a supercharge cylinder to increase pressure in subsea systems and accumulators of the subsea systems, including Defendant Oilgear’s Subsea Boosting and Regulating System (BARS). Defendant’s BARS system is shown in Oilgear’s Subsea Boosting and Regulating System (BARS) Brochure (attached as **Exhibit 2**)<sup>1</sup> and described in greater detail in Oilgear’s pending U.S. patent application, published as Pub. No. 2021/0231132A1 (attached as **Exhibit 3**). Upon information and belief, BARS directly competes with Transocean’s system.

12. Upon information and belief, there are no other competitors making, using, offering to, or selling within the United States, a supercharge cylinder to increase pressure in subsea systems and accumulators of the subsea systems covered by one or more claims of the ’430 Patent.

13. As detailed in the accompanying claim chart (attached as **Exhibit 4**), the Defendant’s Subsea BARS infringes at least Claim 1 of the ’430 patent, either literally or under the doctrine of equivalents.

14. Defendant directly infringes the ’430 Patent by making, using, offering to sell, and/or selling the Subsea BARS within the United States.

15. Defendant is actively inducing others to infringe and is contributing to the

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<sup>1</sup> The BARS brochure can be found at <https://www.oilgear.com/wp-content/uploads/pdf-docs/sort/Oilgear-Subsea-BARS-Non-Confidential-F.pdf>. (Last visited, July 18, 2022.)

infringement of the '430 Patent by making, using, offering to sell, and/or selling the Subsea BARS within the United States. Upon information and belief, at least two current Oilgear employees have known about Transocean's supercharge cylinder development and the '430 patent from their time working with Transocean, either as an employee for Transocean or a contractor for Transocean.

16. As a direct and proximate result of Defendant's acts of infringement of the '430 Patent, Transocean has suffered and will continue to suffer economic injury and damages and is entitled to relief under 35 U.S.C. § 284.

17. Defendant will continue to infringe the '430 Patent unless enjoined by this Court. As a direct and proximate result of Defendant's acts of infringement of the '430 Patent, Transocean has suffered, and will continue to suffer, irreparable harm for which there is no adequate remedy at law. Transocean is entitled to preliminary and permanent injunctive relief under 35 U.S.C. § 283.

18. The facts and circumstances surrounding the subject of this lawsuit make this an "exceptional case" under 35 U.S.C. § 285 and as such, Transocean is entitled to recover its attorney fees under 35 U.S.C. § 285.

#### **PRAYER FOR RELIEF**

Transocean respectfully asks this Court to summon Defendant to appear and answer this Complaint, and after being heard on the merits, grant judgment in favor of Transocean as follows:

- (a) Find Defendant liable for direct infringement of the '430 Patent;
- (b) Find Defendant liable for indirect infringement of the '430 Patent;
- (c) Enjoin Defendant through a preliminary and permanent injunction, from

infringing the '430 Patent for the full term thereof, and from inducing or contributing to such activities;

- (d) Award Transocean damages for Defendant's infringement of the '430 Patent under 35 U.S.C. §284;
- (e) Find that this case is exceptional under 35 U.S.C §285 and award Transocean attorneys' fees;
- (f) Award reasonable and necessary costs; and
- (g) For a judgment and an award of such other and further relief as the Court may deem just and proper.

### **JURY DEMAND**

In accordance with FED. R. CIV. P. 38 and 39, Transocean asserts its rights under the Seventh Amendment to the United States Constitution and demands a trial by jury on all issues that may be so tried.

Dated: July 26, 2022

Respectfully submitted,

/s/ John F. Luman III  
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