

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

|                                 |   |                                |
|---------------------------------|---|--------------------------------|
| CANRIG DRILLING TECHNOLOGY LTD. | ' | Civil Action No. 4:15-cv-00656 |
|                                 | ' |                                |
| Plaintiff,                      | ' |                                |
|                                 | ' |                                |
| v.                              | ' |                                |
|                                 | ' |                                |
| TRINIDAD DRILLING LTD. and      | ' | Jury Trial Demanded            |
| TRINIDAD DRILLING L.P.          | ' |                                |
|                                 | ' |                                |
| Defendants.                     | ' |                                |

**PLAINTIFF’S FIRST AMENDED COMPLAINT**

Canrig Drilling Technology Ltd. (“Canrig”) files this First Amended Complaint against Defendants Trinidad Drilling Ltd. and Trinidad Drilling LP (“Defendants”), and alleges as follows:

**PARTIES**

1. Plaintiff Canrig is a Delaware corporation with its principal place of business at 8223 Willow Place Dr. South, Houston, TX 77070.
2. Defendant Trinidad Drilling Ltd. is a Canadian corporation with its principal place of business at 2500, 700 – 9th Avenue SW, Calgary, AB T2P 3V4.
3. Defendant Trinidad Drilling L.P. is a Delaware corporation with its principal place of business at 15015 Vickery Drive, Houston, TX 77032.

**JURISDICTION AND VENUE**

4. This is an action for patent infringement. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338 because this action arises under the patent laws of the United States, 35 U.S.C. §§ 1 et seq.

5. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391 and 1400. Upon information and belief, Defendants have transacted business in this District, continue to transact business in this District, have committed and/or induced acts of infringement in this District, and continue to commit and/or induce acts of infringement in this District.

6. This Court has personal jurisdiction over Defendants because Defendants have sufficient contacts with the State of Texas and this District to permit the exercise of personal jurisdiction. Upon information and belief, Defendants maintain an office in Houston, have transacted business in this District, continue to transact business in this District, have committed and/or induced acts of infringement in this District, and continue to commit and/or induce acts of infringement in this District.

### **BACKGROUND**

7. On April 18, 2000, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 6,050,348 (the “’348 Patent”), titled “Drilling Method and Apparatus.” Canrig is the assignee of the ’348 Patent, and holds all rights and interest in the ’348 Patent.

8. On June 24, 2014, the United States Patent and Trademark Office reissued some claims of the ’348 Patent as U.S. Reissued Patent No. RE44,956 (the “’956 Patent”).

9. On July 1, 2014, the United States Patent and Trademark Office reissued additional claims of the ’348 Patent as U.S. Reissued Patent No. RE44,973 (the “’973 Patent”).

10. Canrig is the assignee of the ’956 Patent and ’973 Patent and holds all rights and interest the ’956 Patent and the ’973 Patent.

### **INFRINGEMENT OF ’956 PATENT AND ’973 PATENT**

11. Defendants are in the business of, among other things, making, using, and selling products, systems, and services, including but not limited to electric rig control systems on its

fleet of drilling rigs, that infringe the '956 Patent and the '973 Patent, both directly and indirectly.

12. Defendant Trinidad Drilling L.P. is a wholly-owned subsidiary of Defendant Trinidad Drilling Ltd. Defendants acted jointly and collectively to make, use, and sell, without limitation, the electric rig control systems that infringe the '956 Patent and the '973 Patent.

13. The manufacture, use, and sale of these electric rig control systems, including but not limited to those called "Victory Axio-Driller," or other rig control systems with similar functionality, infringe the '956 Patent and the '973 Patent in several ways, including but not limited to by using a programmed computer to advance a drill string to a predetermined angle and by using a programmed computer to oscillate a drill string between two predetermined angles. These electric rig control systems contain functionalities that infringe several claims of the '956 Patent and the '973 Patent, because they, including without limitation, advance the drill string to a predetermined angle or oscillate the drill string between two predetermined angles without substantially disrupting a steering process, generate a visual output that illustrates the rotation of the drill string from a neutral position, and generate a visual output that includes torque information associated with the motor. In addition, the rig control systems' oscillation functionality can rotate the drill string in a first direction from a neutral position and back in the reverse direction past the neutral position.

14. Defendants have committed, and continue to commit, acts of infringement of the '956 Patent and the '973 Patent by making, using, and selling products, systems and services embodying the patented invention.

15. Defendants have had knowledge of and notice of the '956 Patent and the '973 Patent and its infringement since at least, and through, the filing and service of the Complaint

and despite this knowledge continues to commit the aforementioned infringing acts. Defendants' knowledge of the Patents-in-Suit in advance of the filing and service of the Complaint will be a subject of discovery.

16. Defendants have induced, and continue to induce, infringement of the '956 Patent and the '973 Patent by making, using, and selling products, systems and services embodying the patented invention. By placing the infringing control systems on its drilling rigs, Defendants induce infringement of, at a minimum, the method claims on the part of the rigs' operators.

17. Defendants have committed, and continue to commit, acts of contributory infringement the '956 Patent and the '973 Patent, including, but not limited, by making, using, and selling products, systems and services embodying the patented invention. By placing the infringing system in active rigs, Defendants contribute to infringement on the part of the rigs' operators.

18. Defendants' past and continued acts of infringement of the '956 Patent and the '973 Patent have caused damages to Canrig. Thus, Canrig is entitled to recover damages from Defendants in an amount subject to proof at trial, but in no event less than a reasonable royalty for Defendants' infringement together with interest and costs as fixed by the Court under 35 U.S.C. § 284.

19. Defendants' infringement of the '956 Patent and the '973 Patent will continue to damage Canrig, causing irreparable harm for which there is no adequate remedy at law, unless Defendants are enjoined by this Court from further acts of infringement.

#### **JURY DEMAND**

20. Canrig demands a trial by jury.

**CAUSE OF ACTION**

**PATENT INFRINGEMENT – 35 U.S.C § 271**

21. Canrig incorporates by reference all of the allegations above.

22. Defendants have violated, and continue to violate, 35 U.S.C. § 271. Specifically, Defendants have committed, and continue to commit, acts of infringement of the '956 Patent and the '973 Patent by making, using, and selling products, systems and services embodying the patented invention.

23. Defendants have contributed to, and induced, infringement by others of the '956 Patent and the '973 Patent, without a license to the '956 Patent and the '973 Patent, by making, using, and selling products, systems and services embodying the patented invention. By placing the infringing system in active rigs, Defendants contribute to and induce infringement on the part of the rigs' operators.

24. Defendants' past and continued acts of infringement of the '956 Patent and the '973 Patent have caused damages to Canrig. Thus, Canrig is entitled to recover damages from Defendants in an amount subject to proof at trial, but in no event less than a reasonable royalty for Defendants' infringement together with interest and costs as fixed by the Court under 35 U.S.C. § 284.

25. Defendants' infringement of the '956 Patent and the '973 Patent will continue to damage Canrig, causing irreparable harm for which there is no adequate remedy at law, unless the Court enjoins Defendants from further acts of infringement.

**REMEDIES AND PRAYER**

**PERMANENT INJUNCTION – 35 U.S.C. § 283**

26. Canrig incorporates by reference all of the allegations above.

27. As a result of Defendants' past and continuing infringement of the '956 Patent and the '973 Patent, Canrig has suffered and will continue to suffer irreparable injury, for which there is no adequate remedy at law. Unless enjoined by this Court, Defendants will continue to infringe and induce infringement of the '956 Patent and the '973 Patent.

28. Defendants' infringement thus warrants a remedy in equity. Accordingly, in addition to monetary damages, Canrig also seeks a permanent injunction to prevent Defendants' continued infringement of the '956 Patent and the '973 Patent. Such a remedy will not disserve the public interest.

### **PRAYER**

Canrig respectfully prays for relief against Defendants as follows:

(a) for a judgment that Defendants have in the past infringed, and continue to infringe, U.S. Reissued Patent No. RE44,956 and U.S. Reissued Patent No. RE44,973;

(b) for a permanent injunction enjoining Defendants and all those in privity with Defendants from further infringement of the claims of U.S. Reissued Patent No. RE44,956 and U.S. Reissued Patent No. RE44,973;

(c) for an award of damages against Defendants in an amount to be proven at trial, but in no event less than a reasonable royalty;

(e) for an award of the costs and expenses incurred in prosecuting this action;

(f) for an award of attorneys' fees pursuant to 35 U.S.C. § 285 or as otherwise permitted by law;

(g) for pre- and post-judgment interest at the maximum allowable rate under the law;  
and

(h) for such other and further relief as this Court may deem appropriate either at law

or in equity.

Respectfully submitted,

SUSMAN GODFREY L.L.P.

/s/ Eric J. Mayer

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