

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

GENERAL PLASTIC INDUSTRIAL CO., LTD.

Petitioner

v.

CANON KABUSHIKI KAISHA

Patent Owner

U.S. Patent No. 8,909,094

Issue Date: December 9, 2014

Title: SEALING MEMBER, TONER ACCOMMODATING CONTAINER
AND IMAGING FORMING APPARATUS

**PETITION FOR *INTER PARTES* REVIEW
OF U.S. PATENT NO. 8,909,094**

Case No. IPR2015-01954

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LISTING OF EXHIBITS

- Exhibit 1001 U.S. Patent No. 8,909,094 to Yamada, et al.
- Exhibit 1002 Prosecution History for U.S. Patent Application Serial No. 13/617,050, Filed On September 14, 2012
- Exhibit 1003 U.S. Patent No. 7,647,012 to Yamada, et al.
- Exhibit 1004 Special Master's Claims Construction Report and Recommendations dated Nov. 8, 2013, in Case No. 1:11-cv-03855-RLV in the U.S. District Court, Northern District of Georgia
- Exhibit 1005 Court's Order dated January 9, 2014, in Case No. 1:11-cv-03855-RLV in the U.S. District Court, Northern District of Georgia
- Exhibit 1006 U.S. Patent No. 5,903,806 to Matsuoka
- Exhibit 1007 Declaration of Brian Springett, Ph.D.

I. INTRODUCTION

Pursuant to 35 U.S.C. §311 and 37 C.F.R. §42.1 *et seq.*, General Plastic Industrial Co., Ltd. (hereinafter, “Petitioner”) requests *inter partes* review of claims 1, 7-9, 11, 16-18, 29 and 38 (the “challenged claims”) of U.S. Patent No. 8,909,094 (“the ’094 patent,” Ex. 1001), which issued on December 9, 2014. The Board is authorized to deduct all required fees associated with this petition from Locke Lord LLP Deposit Account No. 504827, under Order No. 1007369.00003.

The ’094 patent is generally directed to a toner supply container, which includes a rotatable container body and a sealing member provided at its axial end portion, that may be used with an electrophotographic image forming apparatus such as a copier, a printer or a facsimile machine. The sealing member, quite simply, seals or unseals an opening in the container body so that toner may be discharged therefrom. The challenged claims, which were deliberately drafted by the Patent Owner to cover just the toner supply container, are invalid based on a prior art toner cartridge.

II. MANDATORY NOTICES (37 C.F.R. §42.8)

A. Real Party in Interest (37 C.F.R. §42.8(b)(1))

General Plastic Industrial Co., Ltd. is the real party-in-interest.

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