

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HP INC.,

Petitioner

v.

MEMJET TECHNOLOGY LIMITED,

Patent Owner

Patent No. 8,678,550

DECLARATION OF STEPHEN F. POND, Ph.D.

HP Ex. 1002
HP Inc. v. Memjet Technology Ltd.

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I, Stephen F. Pond, declare as follows:

I. INTRODUCTION

1. I formerly worked for the Xerox Corporation for over 25 years. I now work as a consultant in the area of electronic printing and have done so for the last 17 years. Accordingly, I have extensive experience in electronic printing, including ink jet technology. I have been retained by HP Inc. (formerly known as Hewlett-Packard Company) in connection with the above-captioned Petition for *Inter Partes* Review.

2. I understand that the Petition involves U.S. Patent No. 8,678,550 (“the ’550 patent”) (Ex. 1001). I have been asked by Petitioner to offer opinions regarding the ’550 patent, including the construction of certain claim terms and the patentability of the claims in view of certain prior art. This declaration sets forth the opinions I have reached to date regarding these matters.

3. In preparing this declaration, I have reviewed the ’550 patent and considered each of the documents cited herein. In reaching my opinions, I have relied upon my experience in the field and also considered the viewpoint of a person of ordinary skill in the art in the year 2004. As explained below, I am familiar with the level of a person of ordinary skill in the art regarding the technology at issue as of that time.

4. I am being compensated at my normal rate of \$500 per hour in

connection with this review. My compensation is not contingent on the outcome of this review or on the substance of my opinions. I further have no financial interest in Petitioner. I have been informed that the '550 patent may currently be assigned to Memjet Technology Limited (“Memjet”). I have no financial interest in Memjet.

II. BACKGROUND AND QUALIFICATIONS

5. A true and correct copy of my *curriculum vitae* is attached as Ex. 1005. As set forth in my CV, I have over 40 years of research, product engineering, and consulting experience in the field of electronic printing, including thermal inkjet ink printing technologies. I received a Bachelor’s Degree (Magna Cum Laude) in Physics in 1967 from Dartmouth College, a Master’s Degree in Physics from University of Illinois in 1968, and a Ph.D. in Physics from University of Illinois in 1971. I am a member of the Phi Beta Kappa honor society.

6. I served for 26 years at Xerox Corporation in numerous areas related to electronic printing. From 1972-1979, I served as a Scientist at Xerox responsible for experimental studies in toner adhesion, was project leader and principal technical contributor for feasibility studies for a magnetographic electronic duplicator, and became a charter technical contributor to Xerox’s continuous inkjet research program. In that last role, I was responsible for early continuous inkjet demonstration, technical strategy and competitive technology

information analysis.

7. During the 1980s, I was a manager at Xerox in the Advanced Marking Development Section, in the Electronic Marking Device Area, and in the Electronic Marking Laboratory, where I was responsible for thermal inkjet research and technology feasibility demonstration.

8. From 1989-1994, I was Chief Engineer in Xerox's Components Development and Manufacturing Unit, where I was responsible for thermal inkjet advanced technology and product development. In that role, I had line management responsibility for approximately 60 engineers and technologists, and I managed inkjet development collaborations with foreign OEM suppliers and a Xerox Japanese subsidiary. My efforts on behalf of the company were recognized in 1991, when I received the Xerox President's Award—the highest individual honor attainable within the organization.

9. From 1994-1998, I was a Principal in Xerox's Ink Jet Business Group, where I was responsible for workgroup and special product concept development. In that role, I managed the initial productization project for Xerox 600 dpi thermal inkjet printhead and ink technology, and I managed the development of a state of the art thermal inkjet printer mechanism.

10. For the last 17 years, I have been an electronic printing and microelectromechanical systems (MEMS) consultant, working with outside

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