

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HP INC.,
Petitioner

v.

MEMJET TECHNOLOGY LIMITED,
Patent Owner

Patent No. 7,156,492

DECLARATION OF STEPHEN F. POND, PH.D.

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I, Stephen F. Pond, Ph.D., do hereby state and declare:

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. 7,156,492 (hereinafter the “’492 patent,” Ex. 1001). I have been asked by Petitioner to offer opinions regarding the ’492 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 ’492 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 at the time of the earliest claimed priority date of the ’492 patent, *i.e.*, early 2001. 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 '492 patent may currently be assigned to the Memjet Technology Limited ("Memjet"). I have no financial interest in Memjet

II. BACKGROUND AND QUALIFICATION

5. A true and correct copy of my *curriculum vitae* is attached as Ex. 1008. 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

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