

# Gupta Exhibit 2

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION**

**CANON, INC.,**

**Plaintiffs,**

**v.**

**COLOR IMAGING, INC. and  
GENERAL PLASTIC INDUSTRIAL  
CO., LTD.,**

**Defendants.**

**CASE NO. 1:11-CV-03855-RLV**

---

**AND RELATED COUNTERCLAIMS**

---

**EXPERT REPORT OF DR. B. E. SPRINGETT REGARDING INVALIDITY OF  
UNITED STATES PATENT NO. 7,647,012**

I. INTRODUCTION ..... 1

    A. BACKGROUND..... 2

    B. MATERIALS CONSIDERED ..... 5

II. SUMMARY OF OPINIONS ..... 5

III. LEGAL STANDARDS ..... 6

    A. QUALIFICATION OF PRIOR ART..... 6

        1. 35 U.S.C. § 102(a) ..... 6

        2. 35 U.S.C. § 102(b) ..... 7

        3. 35 U.S.C. § 102(e) ..... 7

        4. 35 U.S.C. § 102(g)(2) ..... 8

    B. ANTICIPATION..... 8

    C. OBVIOUSNESS ..... 8

    D. THE INDEFINITENESS REQUIREMENT ..... 144

    E. CLAIM CONSTRUCTION ..... 14

IV. LEVEL OF ORDINARY SKILL IN THE ART AND RELEVANT FIELD OF ART. 166

V. OPINIONS CONCERNING THE '012..... 177

    A. OVERVIEW OF THE '012 PATENT ..... 177

    B. THE INVALIDATING PRIOR ART FOR THE '012 PATENT ..... 34

    C. ANTICIPATION AND OBVIOUSNESS ANALYSIS ..... 108

VI. OTHER TOPICS ..... 108

EXHIBIT A: CURRICULUM VITAE OF DR. B. E. SPRINGETT

EXHIBIT B: TABLE OF PRIOR ART REFERENCES

EXHIBIT C: PATENTS, PATENT PUBLICATIONS, REFERENCES AND OTHER MATERIALS  
 CONSIDERED

## **I. INTRODUCTION**

1. My name is Dr. Brian Springett and I have been retained by counsel for defendants Color Imaging, Inc. and General Plastic Industrial Co., Ltd. (collectively, "Defendants") to provide assistance in the above captioned matter, which I understand to be related to alleged infringement of certain claims in U.S. Patent No. 7,647,012 (the "'012 Patent"), entitled "Sealing Member, Toner Accommodating Container and Image Forming Apparatus."

2. In this report I will set forth my opinions regarding the validity of the '012 Patent. This report contains my opinions formed in this case and provides the bases and reasons for those opinions. I make the following statements based on my own personal knowledge and, if called as a witness, I could and would testify to the following.

3. I have summarized in this section my educational background, career history, and other relevant qualifications. A true and accurate copy of my curriculum vitae is attached hereto as Exhibit A.

### **A. Background**

4. I received a B.A. with Honors in Physics and Mathematics from the University of Cambridge in Cambridge, England in 1960. I also received a M.S. in Physics from the University of Chicago in Chicago, Illinois in 1963, followed by a M.A. in Physics from the University of Cambridge in Cambridge, England in 1964. I earned a Ph.D. from the University of Chicago, Illinois in 1966 in Solid State and Low Temperature Physics. After receiving my Ph.D., I continued my education with short courses on Laser Beams from the University of Chicago, short courses in Optics & Lasers from the University of Rochester and a short course in Technology Management from the Sloan School, Massachusetts Institute of Technology.

5. After leaving Cambridge University and prior to attending the University of Chicago, I spent one year with Hoffman Semiconductor in Southern California working on solar cells and integrated circuits. After earning my Ph.D., I spent one year as a post-doctoral research associate at the University of Chicago before moving to the University of Michigan as an assistant professor in the Physics Department. Additional teaching positions have included visiting professor positions at the University of Oakland, in Rochester, Michigan, and the University of Quebec, in Trois-Rivières, Quebec.

6. In 1974, following my academic positions, I worked for Xerox Corporation for twenty-seven years. During my first thirteen years at Xerox Corporation, I conducted research and development on new electrophotographic subsystems, the first Xerox laser printers, system integration of electrophotographic consumables, including work with multiple types of toners, photoreceptors, and charging systems. My work involved coordination of research and development and integration of planning with engineering groups around the world. During the next fourteen years at Xerox, I worked in technology management and strategic planning, including research and development on system integration of electrophotographic consumables for new digital products, both black and white and color. This work included membership on standing research and development committees to monitor progress of technology investments and formulating strategy assessments and refinements, as well as consultation on international standards committees.

7. My twenty-seven years of experience at Xerox Corporation, included working with photoreceptors, toners, developers, toner cartridges, liquid toners, media, and electrophotographic systems (including digital black and white and color printing). Since leaving Xerox Corp. my educational background has enabled me to work as a business and

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.