

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
Atlanta Division**

CANON, INC.,)	
)	
Plaintiff,)	
)	CASE NO. 1:11-cv-03855-RLV
v.)	
)	
COLOR IMAGING, INC. and)	
GENERAL PLASTIC)	
INDUSTRIAL CO., LTD.,)	
)	
Defendants.)	
_____)	

**SPECIAL MASTER’S CLAIMS CONSTRUCTION REPORT
AND RECOMMENDATIONS**

This case is now before the Court for determination of the meaning of certain disputed terms in U.S. Patent No. 7,647,012 (“the ‘012 patent”). This report provides the Court with the parties’ positions and the Special Master’s recommendations regarding the construction of disputed terms. In this action, Plaintiff Canon, Inc. (“Canon”) alleges that Defendants Color Imaging, Inc. (“Color Imaging”) and General Plastic Industrial Co., Ltd. (“GPI”) (collectively, “Defendants”) infringe claims 24, 25 and 30 of the ‘012 patent.

GPI EXHIBIT 1004
GENERAL PLASTIC V. CANON
IPR2016-01360

The '012 patent generally relates to a toner container for use in an image forming apparatus (details to follow). The parties have presented their claim construction positions in opening and responsive briefs. In addition, on August 6, 2013, the Special Master held a telephonic claim construction hearing and heard further argument. For the reasons stated herein, the Special Master recommends that the Court adopt the constructions set forth below.

I. OVERVIEW OF THE PATENT

The following paragraphs provide a general description of the subject matter of the '012 patent as provided by Canon. This recitation is provided to give the Court an overview of the patent as seen from Canon's perspective. Nothing in this recitation, however, has any impact or importance in determining the meaning of the disputed claim terms.

According to Canon: The '012 patent describes and claims a toner supply container that is usable in, for example, a copy machine. At a basic level, a copier works by adhering a fine powdery substance, called toner, to a sheet of paper in a pattern that matches the text or image being copied. Because toner is used each time a copy is made, from time to time a copier's toner supply must be replenished. Because toner is messy, manufacturers

often supply toner in the form of a sealed container that can be installed in the copier whenever a fresh supply of toner is needed. This allows users to replenish their own toner, without getting the messy substance on their hands or clothing. When the toner supply is depleted, the user removes the container and replaces it with a full one, so that from the user's perspective, replenishing the copier's toner supply is as simple as switching out containers.

The ideal toner supply container is one that is easily installable and removable for a user, reliably seals the toner within the container when the container is outside the copier, and discharges the proper amount of toner at the right time when installed in the copier. The toner supply container described and claimed in Canon's '012 patent meets all of those criteria.

In FIG. 3 of the '012 patent, shown below, an exemplary toner supply container, is denoted by reference number 1 and a main assembly of a copier is denoted by reference number 100. The toner supply container is installed in the copier by inserting it in the direction indicated by arrow a.

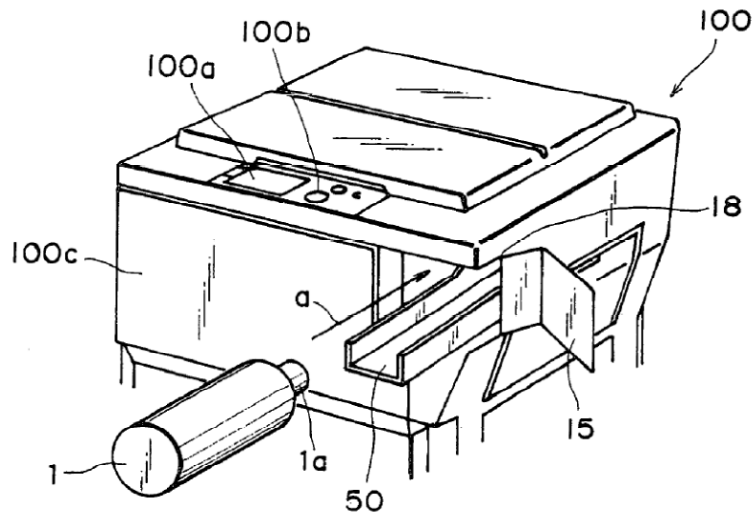


FIG. 3

The toner supply container has an opening 1a at one end. The opening is sealed when the toner supply container is outside of the copier. When the toner supply container is installed in the copier, two things happen: (1) the opening is unsealed; and (2) when the copier is being used, the toner supply container is rotated. The rotation of the toner supply container causes the toner inside of it to be fed out of the opening and into a toner hopper within the copier, so that the toner in the hopper can be used to make copies.

The '012 patent discloses several examples of sealing members suitable for sealing and unsealing the opening in the container body. One such sealing member is shown in FIGS. 23A and 23B of the '012 patent, which are reproduced below.

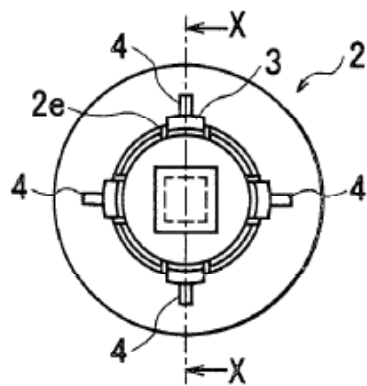


FIG. 23A

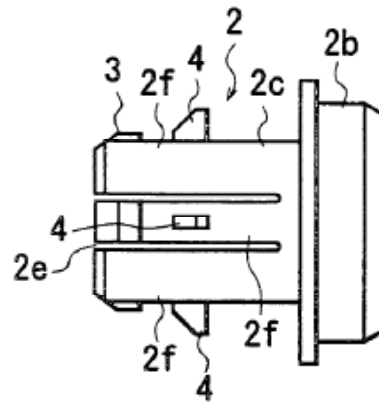


FIG. 23B

The sealing member, denoted generally by reference number 2, has two main portions: a sealing portion denoted generally by reference number 2b, and a coupling portion denoted generally by reference number 2c. The sealing portion fits snugly within the opening in order to seal the toner within the container body. The coupling portion is engageable with a part in the copier in order to (1) move the sealing member and the container body relatively away from each other to unseal the opening, and (2) receive rotational drive force from the copier. To these ends, the coupling portion includes supporting portions 2f, engaging portions 3, and displacing force receiving portions 4, which are constructed as follows:

- The supporting portions 2f are elastically displaceable in an inward direction and elastically restorable in an outward direction.

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