

Filed on behalf of Oxbo International Corporation

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UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

H&S MANUFACTURING COMPANY, INC.

Petitioner,

v.

OXBO INTERNATIONAL CORPORATION

Patent Owner.

Case IPR2016-00950
Patent 8,166,739

EXPERT DECLARATION OF JONATHAN CHAPLIN, Ph.D.

Oxbo International Corporation, Patent Owner
Exhibit 2008
H&S Manufacturing Company, Inc. v. Oxbo
International Corporation
IPR2016-00950

List of Exhibits Relied Upon in Declaration

Exhibit #	Description
2006	Srivastava, A.K.; Goering, C.E.; Rohrbach, R.P., <i>Engineering Principles of Agricultural Machines</i> (1993). pp. 406-443
2010	2004 AE50 Outstanding Innovations, June/July 2004
2015	Dr. Chaplin infringement charts for the Tri-Flex merger
2016	Listing of issued patents assigned to Kuhn S.A.
2017	Claim chart regarding Patent Owner's products

I. Introduction

1. I, Jonathan Chaplin, have been retained as an expert witness for Patent Owner, Oxbo International Corp. (hereinafter “Oxbo”).

II. Background and qualifications

2. I received a BSc. degree from Silsoe College (United Kingdom) in 1976, a M.S. degree from Iowa State University in 1980, and a Ph.D. degree from Iowa State University in 1983. Each of these degrees was in Agricultural Engineering.

3. I have been employed with the University of Minnesota since 1983 as an Assistant Professor of Agricultural Engineering (teaching and research on tillage systems), and as an Associate Professor and Professor of Bioproducts and Biosystems Engineering (teaching and research on machine system design, safety and performance). Since 1988 I have also been engaged with Chaplin and Associates, LLC as an engineering consultant in cases involving machinery design.

4. I have gained my knowledge on agricultural machinery design throughout my formative years working on my father’s farm in Leicestershire, England, followed by my career in Agricultural Engineering. During my BSc. degree program I was able to work for Massey Ferguson in North America as an exchange student. After graduation I worked for David Brown, a manufacturer of

tractors and other farm machinery, as a trainee engineer. I followed this by pursuing advanced degrees in Agricultural Engineering at Iowa State University. After graduating with a Ph.D., I gained a position on the faculty at the University of Minnesota, specializing in agricultural machinery design.

5. During my tenure at Minnesota I have been involved in teaching machinery design, engineering safety, instrumentation, and statics and mechanics of materials. My research has been directed towards the design and testing of machinery systems for precision agriculture and latterly in the area of robotics and UAVs for crop sensing. I have been an inventor on two patents stemming from research activities, namely a heating system for a PCR instrument, and a novel evisceration system for turkey meat processing. I have applied for patents on several other technologies, but those applications for patents were denied. Thus, I understand the rigor of the review of claims presented in a patent.

6. During the past 33 years I have offered my professional services as a consultant in the area of machinery design and in product litigation cases. This has provided me with a wealth of knowledge that I bring to my teaching. While on sabbatical leave, I have spent time working with John Deere engineers investigating crop yield monitoring systems and with a local engineering

consultancy (Kensinger and Associates) on machinery design using finite element analysis.

7. I have a 120 acre farm in western Wisconsin and provide custom haying operations for other farmers in the area. If asked, I may expand more on my relevant background and experience.

8. A copy of my curriculum vitae is attached as Attachment A, and a list of my prior testimony during the past four years is attached as Attachment B. I am being compensated at my customary rate of \$400 per hour, plus expenses, for my time in this proceeding. My compensation does not depend upon the opinions expressed in this declaration, nor does it depend on the outcome of this proceeding.

III. Materials considered

9. A list of the materials that I have considered in connection with this report is listed in Attachment C.

10. I have read the expert reports of Ralph E. Shirley (Exhibit 1009) and Daniel Undersander, Ph.D. (Exhibit 1008) as well as exhibits and other materials cited in those reports.

11. I have also inspected an Oxbo 310 merger, an Oxbo 334 merger and H&S's Tri-Flex merger. Furthermore, I operated an Oxbo 334 merger.

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