

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

EDGE ENDO, LLC,

Petitioner,

v.

MAILLEFER INSTRUMENTS HOLDING S.A.R.L.,

Patent Owner.

Case No. IPR2018-01349
U.S. Patent No. 9,801,696

DECLARATION OF JOHN MCSPADDEN, DDS

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Case IPR2018-01349

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I, John McSpadden, declare as follows:

I. Background and Qualifications

1. My curriculum vitae (CV) detailing my educational background and professional experience is enclosed as Appendix A. I hold a Doctorate in Dental Surgery from the University of Tennessee College of Dentistry and a Bachelor of Science degree in Biology from the University of Tennessee.

2. I have more than fifty years of experience in the field of endodontic instrumentation. I have founded six companies specializing in endodontic devices. Those companies were ITI, LLC, Advanced Endodontic Concepts, LLC, NT Company, LLC, Cloudland Institute, LLC, Tycom Endo (a division of Tycom Co.), and NanoEndo, LLC. Each of those companies sold products internationally, and each was acquired by a major dental company.

3. I am a listed inventor on at least twenty-two United States utility patents relating to endodontic instruments and techniques, including U.S. Patent Nos. 4,299,571; 4,332,561; 4,353,698; 4,457,710; 4,605,025; 4,904,185; 5,035,617; 5,067,900; 5,083,923; 5,104,316; 5,275,562; 5,735,689; 5,882,198; 5,902,106; 5,938,440; 5,980,250; 6,293,794; 6,419,488; 6,966,774; 7,223,100; 7,731,498; and 8,182,265. I am a listed inventor on three of the patent references cited in the Petition: U.S. Patent Publication Nos. 2004/0023186 and 2006/0228668; and U.S. Patent No. 5,882,198.

4. I have contributed to four textbooks regarding endodontic instrumentation and technique. I am the sole author of Mastering Endodontic Instrumentation, which is cited as an exhibit in the Petition. I was a contributing author to Clinique Endodontie, Endodontics, and Pathways of the Pulp.

5. I have frequently lectured on endodontic instrument design and clinical technique. I have spoken at thirty-one endodontic graduate programs in the United States and more than a dozen universities and endodontic societies overseas, including in France, Britain, Italy, and Japan.

6. I have received numerous professional recognitions and awards for my contributions to the field of endodontics. Those awards include the President's Award for Outstanding Contribution to Endodontics, the International Louis I. Grossman Award for Outstanding Contribution to Endodontics, and the Ralph F. Summers Award for Outstanding Publication. Each of these was awarded by the American Association of Endodontics. I have also been recognized as an Honorary Member of the French Endodontic Society, La Société Française d'Endodontie.

7. Based on my education and experience, I believe I am qualified to render opinions in the field of endodontic instruments, including the properties and geometries associated with endodontic instruments of the type at issue in this proceeding.

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