

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TENNESSEE
WESTERN DIVISION**

CANON INC.,)	
)	
Plaintiff,)	
)	Civ. No. _____
vs.)	
)	
ONLINE TECH STORES, LLC and IMAGING)	JURY DEMAND
SUPPLIES INVESTORS, LLC,)	
)	
Defendants.)	

PLAINTIFF CANON INC.'S COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Canon Inc. ("Canon") brings this action for patent infringement against Defendants Online Tech Stores, LLC and Imaging Supplies Investors, LLC (collectively, "Defendants"), and alleges as follows:

Related Actions

1. This action is related to an action being concurrently filed in the U.S. International Trade Commission, *In the Matter of Certain Toner Cartridges and Components Thereof* (the "ITC Proceeding"), in that (a) Canon is a complainant in the ITC Proceeding; (b) Defendants are named respondents, among other named respondents, in the ITC Proceeding; (c) Canon is asserting the same patents against Defendants both here and in the ITC Proceeding; and (d) this action and the ITC Proceeding involve the same accused products of Defendants. Canon is concurrently filing similar complaints in this Court or in other courts against the other named respondents in the ITC Proceeding.

The Parties

2. Canon is a corporation organized and existing under the laws of Japan, having its principal place of business at 30-2, Shimomaruko 3-chome, Ohta-ku, Tokyo 146-8501, Japan.

3. Canon is a leading innovator, manufacturer and seller of a wide variety of laser beam printers, inkjet printers, copying machines, cameras, and other consumer, business, and industrial products.

4. On information and belief, Online Tech Stores, LLC is a limited liability company organized and existing under the laws of the State of Delaware, with its principal place of business located at 190 Monroe Avenue NW, Suite 600, Grand Rapids, Michigan 49503-2628.

5. On information and belief, Imaging Supplies Investors, LLC is a limited liability company organized and existing under the laws of the State of Tennessee, with its principal place of business located at 5440 Reno Corporate Drive, Reno, Nevada 89511, and another place of business located at 813 Ridge Lake Boulevard, Memphis, Tennessee 38120-9403. On information and belief, until around February 2, 2018, Imaging Supplies Investors, LLC had operated under the name Online Tech Stores, LLC.

6. On information and belief, Defendants have a distribution center located at 3892 Delp Street, Memphis, Tennessee 38118.

7. On information and belief, Defendants are related entities under common ownership and control, and both do business under the assumed names of SuppliesOutlet.com, SuppliesWholesalers.com, and OnlineTechStores.com.

8. On information and belief, Defendants conduct activities via the Internet at least as *suppliesoutlet.com*, *supplieswholesalers.com*, and *onlinetechstores.com*.

Jurisdiction and Venue

9. This is an action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

10. This Court has personal jurisdiction over Defendants because each has, directly or through intermediaries, committed acts within Tennessee giving rise to this action and/or has

established minimum contacts with Tennessee such that the exercise of jurisdiction would not offend traditional notions of fair play and substantial justice.

11. Venue is proper under 28 U.S.C. § 1400(b). Imaging Supplies Investors, LLC is incorporated in, and thus resides in, the State of Tennessee and this judicial district. Both Defendants have committed infringing acts in this judicial district and both have a regular and established place of business in this judicial district.

Canon's Patents-in-Suit

12. On August 29, 2017, U.S. Patent No. 9,746,826 (the "'826 patent"), titled "Process Cartridge, Electrophotographic Image Forming Apparatus, and Electrophotographic Photosensitive Drum Unit," duly and legally issued to Canon as assignee of the inventors, Takahito Ueno, Shigeo Miyabe, and Masanari Morioka. A true and correct copy of the '826 patent is attached as Exhibit 1.

13. On December 5, 2017, U.S. Patent No. 9,836,021 (the "'021 patent"), titled "Process Cartridge, Electrophotographic Image Forming Apparatus, and Electrophotographic Photosensitive Drum Unit," duly and legally issued to Canon as assignee of the inventors, Takahito Ueno, Shigeo Miyabe, and Masanari Morioka. A true and correct copy of the '021 patent is attached as Exhibit 2.

14. On December 12, 2017, U.S. Patent No. 9,841,727 (the "'727 patent"), titled "Process Cartridge, Electrophotographic Image Forming Apparatus, and Electrophotographic Photosensitive Drum Unit," duly and legally issued to Canon as assignee of the inventors, Takahito Ueno, Shigeo Miyabe, and Masanari Morioka. A true and correct copy of the '727 patent is attached as Exhibit 3.

15. On December 12, 2017, U.S. Patent No. 9,841,728 (the "'728 patent"), titled "Process Cartridge, Electrophotographic Image Forming Apparatus, and Electrophotographic Photosensitive Drum Unit," duly and legally issued to Canon as assignee of the inventors,

Takahito Ueno, Shigeo Miyabe, and Masanari Morioka. A true and correct copy of the '728 patent is attached as Exhibit 4.

16. On December 12, 2017, U.S. Patent No. 9,841,729 (the "'729 patent"), titled "Process Cartridge, Electrophotographic Image Forming Apparatus, and Electrophotographic Photosensitive Drum Unit," duly and legally issued to Canon as assignee of the inventors, Takahito Ueno, Shigeo Miyabe, and Masanari Morioka. A true and correct copy of the '729 patent is attached as Exhibit 5.

17. On January 2, 2018, U.S. Patent No. 9,857,764 (the "'764 patent"), titled "Process Cartridge, Electrophotographic Image Forming Apparatus, and Electrophotographic Photosensitive Drum Unit," duly and legally issued to Canon as assignee of the inventors, Takahito Ueno, Shigeo Miyabe, and Masanari Morioka. A true and correct copy of the '764 patent is attached as Exhibit 6.

18. On January 2, 2018, U.S. Patent No. 9,857,765 (the "'765 patent"), titled "Process Cartridge, Electrophotographic Image Forming Apparatus, and Electrophotographic Photosensitive Drum Unit," duly and legally issued to Canon as assignee of the inventors, Takahito Ueno, Shigeo Miyabe, and Masanari Morioka. A true and correct copy of the '765 patent is attached as Exhibit 7.

19. On January 16, 2018, U.S. Patent No. 9,869,960 (the "'960 patent"), titled "Process Cartridge, Electrophotographic Image Forming Apparatus, and Electrophotographic Photosensitive Drum Unit," duly and legally issued to Canon as assignee of the inventors, Takahito Ueno, Shigeo Miyabe, and Masanari Morioka. A true and correct copy of the '960 patent is attached as Exhibit 8.

20. On January 23, 2018, U.S. Patent No. 9,874,846 (the "'846 patent"), titled "Process Cartridge, Electrophotographic Image Forming Apparatus, and Electrophotographic Photosensitive Drum Unit," duly and legally issued to Canon as assignee of the inventors,

Takahito Ueno, Shigeo Miyabe, and Masanari Morioka. A true and correct copy of the '846 patent is attached as Exhibit 9.

21. Canon is the sole owner of the entire right, title, and interest in and to the '826, '021, '727, '728, '729, '764, '765, '960, and '846 patents (collectively, "Asserted Patents"), including the right to sue and recover for any and all infringements thereof.

22. The Asserted Patents are valid and enforceable.

Defendants' Infringing Activities

23. On information and belief, Defendants are engaged in the business of selling and/or offering to sell within the United States and/or importing into the United States replacement toner cartridges for use in one or more Canon and HP laser beam printers, including but not limited to the printers listed in the table below, which toner cartridges and/or the components contained therein (*e.g.*, photosensitive drum units) are covered by one or more claims of each of the Asserted Patents.

Canon/HP Laser Beam Printers	Compatible Canon/HP Cartridges
Canon imageCLASS 312x, 312i, and 312dn Canon i-SENSYS LBP312x, LBP312i, and LBP312dn	Canon Cartridge 041/041 H
Canon imageCLASS LBP6300dn, LBP6650dn, LBP6670dn, MF5850dn, MF5880dn, MF5950dw, MF5960dn, MF6160dw, and MF6180dw	Canon Cartridge 119/119 II
Canon imageCLASS D1120, D1150, D1170, D1180, D1320, D1350, and D1370	Canon Cartridge 120
Canon imageCLASS LBP6780dn	Canon Cartridge 324 II
Canon imageRUNNER LBP3560 and LBP3580	Canon GPR-40
Canon imageRUNNER LBP3470 and LBP3480 Canon LASER CLASS 650i	Canon GPR-41

HP LaserJet P3010 HP LaserJet Pro MFP M521dn HP LaserJet Enterprise P3015d, P3015dn, P3015n, and P3015x HP LaserJet Enterprise 500 MFP M525f and M525dn HP LaserJet Enterprise Flow MFP M525c	HP CE255A/X
HP LaserJet P2033, P2033n, P2034, P2034n, P2035, P2035n, P2036, P2036n, P2037, P2037n, P2053d, P2053dn, P2053x, P2054d, P2054dn, P2054x, P2055, P2055d, P2055dn, P2055x, P2056d, P2056dn, P2056x, P2057d, P2057dn, and P2057x	HP CE505A
HP LaserJet P2053d, P2053dn, P2053x, P2054d, P2054dn, P2054x, P2055, P2055d, P2055dn, P2055x, P2056d, P2056dn, P2056x, P2057d, P2057dn, and P2057x	HP CE505X
HP LaserJet Pro M402n, M402dn, M402dw, M426fdn, and MFP M426fdw	HP CF226A/CF226X
HP LaserJet Enterprise Flow MFP M631h and M632z HP LaserJet Enterprise M607dn, M607n, M608dn, M608n, M608x, M609dn, M609x, MFP M631dn, MFP M631z, MFP M632fht, and MFP M632h	HP CF237A/X/Y/YC
HP LaserJet Pro 400 M401dn, M401dne, M401dw, M401n, and MFP M425dn	HP CF280A/X
HP LaserJet Enterprise M506dn, M506n, MFP M527dn, and MFP M527f	HP CF287A/CF287X

24. A non-limiting example of an infringing toner cartridge imported and/or sold by Defendants is model PTCE505AND, depicted below. The design of the PTCE505AND cartridge is what is referred to in the ITC Proceeding as “Type A.” Another example of a Type A cartridge imported and/or sold by Defendants includes, without limitation, model VTCE255AND.



25. Another non-limiting example of an infringing toner cartridge imported and/or sold by Defendants is model CCGPR40, depicted below. The design of the CCGPR40 cartridge is what is referred to in the ITC Proceeding as “Type E.”



26. Still another non-limiting example of an infringing toner cartridge imported and/or sold by Defendants is model PTCF226A, depicted below. The design of the PTCF226A cartridge is what is referred to in the ITC Proceeding as “Type F.”



First Cause of Action: Infringement of U.S. Patent No. 9,746,826

27. Canon repeats and incorporates by reference the allegations of paragraphs 1-26 above, as though set forth here in their entirety.

28. Defendants are directly infringing the '826 patent by selling and/or offering to sell within the United States and/or importing into the United States toner cartridges for use in at least the Canon and HP laser beam printers listed above, including but not limited to the aforementioned PTCE505AND, VTCE255AND, CCGPR40, and PTCF226A cartridges.

29. Defendants also are indirectly infringing the '826 patent at least by virtue of their inducement of direct infringement of that patent by customers who use Defendants' toner cartridges in at least the Canon and HP laser beam printers listed above. At the very latest, Defendants will be given notice of their infringement of the '826 patent upon being served with this Complaint. On information and belief, Defendants knowingly induce customers to use their toner cartridges, including, for example, by promoting their cartridges for use in specific printers and/or providing customers with instructions for using their cartridges in those printers.

30. Defendants' accused toner cartridges infringe one or more claims of the '826 patent. The PTCE505AND and VTCE255AND (Type A) cartridges, for example, infringe at least claims 1-4, 6, 7, and 9 of the '826 patent. Attached hereto as Exhibit 10, and incorporated by reference herein, are claim charts detailing how a representative Type A toner cartridge infringes independent claims 1 and 6 of the '826 patent.

31. As another example, Defendants' CCGPR40 (Type E) cartridge infringes at least claims 1, 4, 6, 7, and 9 of the '826 patent. Attached hereto as Exhibit 11, and incorporated by reference herein, are claim charts detailing how a representative Type E toner cartridge infringes independent claims 1 and 6 of the '826 patent.

32. As still another example, Defendants' PTCF226A (Type F) cartridge infringes at least claims 1, 2, 4, 6, 7, and 9 of the '826 patent. Attached hereto as Exhibit 12, and incorporated by reference herein, are claim charts detailing how a representative Type F toner cartridge infringes independent claims 1 and 6 of the '826 patent.

33. The Court has not yet construed the meaning of any claims or terms in the '826 patent. In providing these detailed allegations, Canon does not intend to convey or imply any particular claim construction or the precise scope of the claims. Canon's contentions regarding the construction of the claims will be provided in compliance with the case schedule, any applicable federal or local procedural rules, and/or any applicable orders.

34. Canon contends that each element of each asserted claim is literally present in the accused toner cartridges. If as a result of the Court's constructions or other determinations one or more claim elements are not literally present, Canon contends that each such element is present under the doctrine of equivalents and reserves its right to provide more detailed doctrine of equivalents contentions after discovery, a claim construction order from the Court, or at another appropriate time.

35. Defendants' acts complained of herein are damaging and will continue to cause irreparable injury and damage to Canon for which there is no adequate remedy at law. Canon is therefore entitled to preliminary and permanent injunctions restraining and enjoining Defendants from infringing the claims of the '826 patent.

36. By reason of Defendants' infringing activities, Canon has suffered, and will continue to suffer, substantial damages in an amount to be determined at trial.

Second Cause of Action: Infringement of U.S. Patent No. 9,836,021

37. Canon repeats and incorporates by reference the allegations of paragraphs 1-26 above, as though set forth here in their entirety.

38. Defendants are directly infringing the '021 patent by selling and/or offering to sell within the United States and/or importing into the United States toner cartridges for use in at least the Canon and HP laser beam printers listed above, including but not limited to the aforementioned PTCE505AND, VTCE255AND, CCGPR40, and PTCF226A cartridges.

39. Defendants also are indirectly infringing the '021 patent at least by virtue of their inducement of direct infringement of that patent by customers who use Defendants' toner cartridges in at least the Canon and HP laser beam printers listed above. At the very latest, Defendants will be given notice of their infringement of the '021 patent upon being served with this Complaint. On information and belief, Defendants knowingly induce customers to use their toner cartridges, including, for example, by promoting their cartridges for use in specific printers and/or providing customers with instructions for using their cartridges in those printers.

40. Defendants' accused toner cartridges infringe one or more claims of the '021 patent. The PTCE505AND and VTCE255AND (Type A) cartridges, for example, infringe at least claims 1, 2, 4, 5, and 7 of the '021 patent. Attached hereto as Exhibit 13, and incorporated by reference herein, is a claim chart detailing how a representative Type A toner cartridge infringes independent claim 1 of the '021 patent.

41. As another example, Defendants' CCGPR40 (Type E) cartridge infringes at least claims 1, 2, 4, 5, and 7 of the '021 patent. Attached hereto as Exhibit 14, and incorporated by reference herein, is a claim chart detailing how a representative Type E toner cartridge infringes independent claim 1 of the '021 patent.

42. As still another example, Defendants' PTCF226A (Type F) cartridge infringes at least claims 1, 2, 4, 5, and 7 of the '021 patent. Attached hereto as Exhibit 15, and incorporated by reference herein, is a claim chart detailing how a representative Type F toner cartridge infringes independent claim 1 of the '021 patent.

43. The Court has not yet construed the meaning of any claims or terms in the '021 patent. In providing these detailed allegations, Canon does not intend to convey or imply any particular claim construction or the precise scope of the claims. Canon's contentions regarding the construction of the claims will be provided in compliance with the case schedule, any applicable federal or local procedural rules, and/or any applicable orders.

44. Canon contends that each element of each asserted claim is literally present in the accused toner cartridges. If as a result of the Court's constructions or other determinations one or more claim elements are not literally present, Canon contends that each such element is present under the doctrine of equivalents and reserves its right to provide more detailed doctrine of equivalents contentions after discovery, a claim construction order from the Court, or at another appropriate time.

45. Defendants' acts complained of herein are damaging and will continue to cause irreparable injury and damage to Canon for which there is no adequate remedy at law. Canon is

therefore entitled to preliminary and permanent injunctions restraining and enjoining Defendants from infringing the claims of the '021 patent.

46. By reason of Defendants' infringing activities, Canon has suffered, and will continue to suffer, substantial damages in an amount to be determined at trial.

Third Cause of Action: Infringement of U.S. Patent No. 9,841,727

47. Canon repeats and incorporates by reference the allegations of paragraphs 1-26 above, as though set forth here in their entirety.

48. Defendants are directly infringing the '727 patent by selling and/or offering to sell within the United States and/or importing into the United States toner cartridges for use in at least the Canon and HP laser beam printers listed above, including but not limited to the aforementioned PTCE505AND, VTCE255AND, CCGPR40, and PTCF226A cartridges.

49. Defendants also are indirectly infringing the '727 patent at least by virtue of their inducement of direct infringement of that patent by customers who use Defendants' toner cartridges in at least the Canon and HP laser beam printers listed above. At the very latest, Defendants will be given notice of their infringement of the '727 patent upon being served with this Complaint. On information and belief, Defendants knowingly induce customers to use their toner cartridges, including, for example, by promoting their cartridges for use in specific printers and/or providing customers with instructions for using their cartridges in those printers.

50. Defendants' accused toner cartridges infringe one or more claims of the '727 patent. The PTCE505AND and VTCE255AND (Type A) cartridges, for example, infringe at least claims 1, 2, 4-7, 9-12, 15-17, 19-22, 24, 26, and 27 of the '727 patent. Attached hereto as Exhibit 16, and incorporated by reference herein, are claim charts detailing how a representative Type A toner cartridge infringes independent claims 1 and 16 of the '727 patent.

51. As another example, Defendants' CCGPR40 (Type E) cartridge infringes at least claims 1, 2, 4-7, 9-12, 15-17, 19-22, 24, 26, and 27 of the '727 patent. Attached hereto as

Exhibit 17, and incorporated by reference herein, are claim charts detailing how a representative Type E toner cartridge infringes independent claims 1 and 16 of the '727 patent.

52. As still another example, Defendants' PTCF226A (Type F) cartridge infringes at least claims 1, 2, 5-7, 9-12, 15-17, 19-22, 24, 26, and 27 of the '727 patent. Attached hereto as Exhibit 18, and incorporated by reference herein, are claim charts detailing how a representative Type F toner cartridge infringes independent claims 1 and 16 of the '727 patent.

53. The Court has not yet construed the meaning of any claims or terms in the '727 patent. In providing these detailed allegations, Canon does not intend to convey or imply any particular claim construction or the precise scope of the claims. Canon's contentions regarding the construction of the claims will be provided in compliance with the case schedule, any applicable federal or local procedural rules, and/or any applicable orders.

54. Canon contends that each element of each asserted claim is literally present in the accused toner cartridges. If as a result of the Court's constructions or other determinations one or more claim elements are not literally present, Canon contends that each such element is present under the doctrine of equivalents and reserves its right to provide more detailed doctrine of equivalents contentions after discovery, a claim construction order from the Court, or at another appropriate time.

55. Defendants' acts complained of herein are damaging and will continue to cause irreparable injury and damage to Canon for which there is no adequate remedy at law. Canon is therefore entitled to preliminary and permanent injunctions restraining and enjoining Defendants from infringing the claims of the '727 patent.

56. By reason of Defendants' infringing activities, Canon has suffered, and will continue to suffer, substantial damages in an amount to be determined at trial.

Fourth Cause of Action: Infringement of U.S. Patent No. 9,841,728

57. Canon repeats and incorporates by reference the allegations of paragraphs 1-26 above, as though set forth here in their entirety.

58. Defendants are directly infringing the '728 patent by selling and/or offering to sell within the United States and/or importing into the United States toner cartridges for use in at least the Canon and HP laser beam printers listed above, including but not limited to the aforementioned PTCE505AND, VTCE255AND, CCGPR40, and PTCF226A cartridges.

59. Defendants also are indirectly infringing the '728 patent at least by virtue of their inducement of direct infringement of that patent by customers who use Defendants' toner cartridges in at least the Canon and HP laser beam printers listed above. At the very latest, Defendants will be given notice of their infringement of the '728 patent upon being served with this Complaint. On information and belief, Defendants knowingly induce customers to use their toner cartridges, including, for example, by promoting their cartridges for use in specific printers and/or providing customers with instructions for using their cartridges in those printers.

60. Defendants' accused toner cartridges infringe one or more claims of the '728 patent. The PTCE505AND and VTCE255AND (Type A) cartridges, for example, infringe at least claims 1, 2, 4-7, 9-12, 15-17, 19-22, 24, and 26-28 of the '728 patent. Attached hereto as Exhibit 19, and incorporated by reference herein, are claim charts detailing how a representative Type A toner cartridge infringes independent claims 1 and 16 of the '728 patent.

61. As another example, Defendants' CCGPR40 (Type E) cartridge infringes at least claims 1, 2, 4-7, 9-12, 15-17, 19-22, 24, and 26-28 of the '728 patent. Attached hereto as Exhibit 20, and incorporated by reference herein, are claim charts detailing how a representative Type E toner cartridge infringes independent claims 1 and 16 of the '728 patent.

62. As still another example, Defendants' PTCF226A (Type F) cartridge infringes at least claims 1, 2, 5-7, 9-12, 15-17, 19-22, 24, and 26-28 of the '728 patent. Attached hereto as Exhibit 21, and incorporated by reference herein, are claim charts detailing how a representative Type F toner cartridge infringes independent claims 1 and 16 of the '728 patent.

63. The Court has not yet construed the meaning of any claims or terms in the '728 patent. In providing these detailed allegations, Canon does not intend to convey or imply any

particular claim construction or the precise scope of the claims. Canon's contentions regarding the construction of the claims will be provided in compliance with the case schedule, any applicable federal or local procedural rules, and/or any applicable orders.

64. Canon contends that each element of each asserted claim is literally present in the accused toner cartridges. If as a result of the Court's constructions or other determinations one or more claim elements are not literally present, Canon contends that each such element is present under the doctrine of equivalents and reserves its right to provide more detailed doctrine of equivalents contentions after discovery, a claim construction order from the Court, or at another appropriate time.

65. Defendants' acts complained of herein are damaging and will continue to cause irreparable injury and damage to Canon for which there is no adequate remedy at law. Canon is therefore entitled to preliminary and permanent injunctions restraining and enjoining Defendants from infringing the claims of the '728 patent.

66. By reason of Defendants' infringing activities, Canon has suffered, and will continue to suffer, substantial damages in an amount to be determined at trial.

Fifth Cause of Action: Infringement of U.S. Patent No. 9,841,729

67. Canon repeats and incorporates by reference the allegations of paragraphs 1-26 above, as though set forth here in their entirety.

68. Defendants are directly infringing the '729 patent by selling and/or offering to sell within the United States and/or importing into the United States toner cartridges for use in at least the Canon and HP laser beam printers listed above, including but not limited to the aforementioned PTCE505AND, VTCE255AND, and CCGPR40 cartridges.

69. Defendants also are indirectly infringing the '729 patent at least by virtue of their inducement of direct infringement of that patent by customers who use Defendants' toner cartridges in at least the Canon and HP laser beam printers listed above. At the very latest, Defendants will be given notice of their infringement of the '729 patent upon being served with

this Complaint. On information and belief, Defendants knowingly induce customers to use their toner cartridges, including, for example, by promoting their cartridges for use in specific printers and/or providing customers with instructions for using their cartridges in those printers.

70. Defendants' accused toner cartridges infringe one or more claims of the '729 patent. The PTCE505AND and VTCE255AND (Type A) cartridges, for example, infringe at least claims 1-3, 6, 8-11, 14, 16-21, 24, and 26 of the '729 patent. Attached hereto as Exhibit 22, and incorporated by reference herein, are claim charts detailing how a representative Type A toner cartridge infringes independent claims 1, 9, and 18 of the '729 patent.

71. As another example, Defendants' CCGPR40 (Type E) cartridge infringes at least claims 1-3, 6, 8-11, 14, 16-21, 24, and 26 of the '729 patent. Attached hereto as Exhibit 23, and incorporated by reference herein, are claim charts detailing how a representative Type E toner cartridge infringes independent claims 1, 9, and 18 of the '729 patent.

72. The Court has not yet construed the meaning of any claims or terms in the '729 patent. In providing these detailed allegations, Canon does not intend to convey or imply any particular claim construction or the precise scope of the claims. Canon's contentions regarding the construction of the claims will be provided in compliance with the case schedule, any applicable federal or local procedural rules, and/or any applicable orders.

73. Canon contends that each element of each asserted claim is literally present in the accused toner cartridges. If as a result of the Court's constructions or other determinations one or more claim elements are not literally present, Canon contends that each such element is present under the doctrine of equivalents and reserves its right to provide more detailed doctrine of equivalents contentions after discovery, a claim construction order from the Court, or at another appropriate time.

74. Defendants' acts complained of herein are damaging and will continue to cause irreparable injury and damage to Canon for which there is no adequate remedy at law. Canon is

therefore entitled to preliminary and permanent injunctions restraining and enjoining Defendants from infringing the claims of the '729 patent.

75. By reason of Defendants' infringing activities, Canon has suffered, and will continue to suffer, substantial damages in an amount to be determined at trial.

Sixth Cause of Action: Infringement of U.S. Patent No. 9,857,764

76. Canon repeats and incorporates by reference the allegations of paragraphs 1-26 above, as though set forth here in their entirety.

77. Defendants are directly infringing the '764 patent by selling and/or offering to sell within the United States and/or importing into the United States toner cartridges for use in at least the Canon and HP laser beam printers listed above, including but not limited to the aforementioned PTCE505AND, VTCE255AND, and CCGPR40 cartridges.

78. Defendants also are indirectly infringing the '764 patent at least by virtue of their inducement of direct infringement of that patent by customers who use Defendants' toner cartridges in at least the Canon and HP laser beam printers listed above. At the very latest, Defendants will be given notice of their infringement of the '764 patent upon being served with this Complaint. On information and belief, Defendants knowingly induce customers to use their toner cartridges, including, for example, by promoting their cartridges for use in specific printers and/or providing customers with instructions for using their cartridges in those printers.

79. Defendants' accused toner cartridges (including the drum units contained therein) infringe one or more claims of the '764 patent. The PTCE505AND and VTCE255AND (Type A) cartridges, for example, infringe at least claims 7-9 of the '764 patent. Attached hereto as Exhibit 24, and incorporated by reference herein, is a claim chart detailing how a representative Type A toner cartridge infringes independent claim 7 of the '764 patent.

80. As another example, Defendants' CCGPR40 (Type E) cartridge infringes at least claims 7-9 of the '764 patent. Attached hereto as Exhibit 25, and incorporated by reference

herein, is a claim chart detailing how a representative Type E toner cartridge infringes independent claim 7 of the '764 patent.

81. The Court has not yet construed the meaning of any claims or terms in the '764 patent. In providing these detailed allegations, Canon does not intend to convey or imply any particular claim construction or the precise scope of the claims. Canon's contentions regarding the construction of the claims will be provided in compliance with the case schedule, any applicable federal or local procedural rules, and/or any applicable orders.

82. Canon contends that each element of each asserted claim is literally present in the accused toner cartridges. If as a result of the Court's constructions or other determinations one or more claim elements are not literally present, Canon contends that each such element is present under the doctrine of equivalents and reserves its right to provide more detailed doctrine of equivalents contentions after discovery, a claim construction order from the Court, or at another appropriate time.

83. Defendants' acts complained of herein are damaging and will continue to cause irreparable injury and damage to Canon for which there is no adequate remedy at law. Canon is therefore entitled to preliminary and permanent injunctions restraining and enjoining Defendants from infringing the claims of the '764 patent.

84. By reason of Defendants' infringing activities, Canon has suffered, and will continue to suffer, substantial damages in an amount to be determined at trial.

Seventh Cause of Action: Infringement of U.S. Patent No. 9,857,765

85. Canon repeats and incorporates by reference the allegations of paragraphs 1-26 above, as though set forth here in their entirety.

86. Defendants are directly infringing the '765 patent by selling and/or offering to sell within the United States and/or importing into the United States toner cartridges for use in at least the Canon and HP laser beam printers listed above, including but not limited to the aforementioned PTCE505AND, VTCE255AND, CCGPR40, and PTCF226A cartridges.

87. Defendants also are indirectly infringing the '765 patent at least by virtue of their inducement of direct infringement of that patent by customers who use Defendants' toner cartridges in at least the Canon and HP laser beam printers listed above. At the very latest, Defendants will be given notice of their infringement of the '765 patent upon being served with this Complaint. On information and belief, Defendants knowingly induce customers to use their toner cartridges, including, for example, by promoting their cartridges for use in specific printers and/or providing customers with instructions for using their cartridges in those printers.

88. Defendants' accused toner cartridges infringe one or more claims of the '765 patent. The PTCE505AND and VTCE255AND (Type A) cartridges, for example, infringe at least claims 1, 3, 4, 6, 13, 16, 17, and 19 of the '765 patent. Attached hereto as Exhibit 26, and incorporated by reference herein, are claim charts detailing how a representative Type A toner cartridge infringes independent claims 1, 4, and 13 of the '765 patent.

89. As another example, Defendants' CCGPR40 (Type E) cartridge infringes at least claims 1, 3, 13, 16, 17, and 19 of the '765 patent. Attached hereto as Exhibit 27, and incorporated by reference herein, are claim charts detailing how a representative Type E toner cartridge infringes independent claims 1 and 13 of the '765 patent.

90. As still another example, Defendants' PTCF226A (Type F) cartridge infringes at least claims 1, 3, 13, 16, 17, and 19 of the '765 patent. Attached hereto as Exhibit 28, and incorporated by reference herein, are claim charts detailing how a representative Type F toner cartridge infringes independent claims 1 and 13 of the '765 patent.

91. The Court has not yet construed the meaning of any claims or terms in the '765 patent. In providing these detailed allegations, Canon does not intend to convey or imply any particular claim construction or the precise scope of the claims. Canon's contentions regarding the construction of the claims will be provided in compliance with the case schedule, any applicable federal or local procedural rules, and/or any applicable orders.

92. Canon contends that each element of each asserted claim is literally present in the accused toner cartridges. If as a result of the Court's constructions or other determinations one or more claim elements are not literally present, Canon contends that each such element is present under the doctrine of equivalents and reserves its right to provide more detailed doctrine of equivalents contentions after discovery, a claim construction order from the Court, or at another appropriate time.

93. Defendants' acts complained of herein are damaging and will continue to cause irreparable injury and damage to Canon for which there is no adequate remedy at law. Canon is therefore entitled to preliminary and permanent injunctions restraining and enjoining Defendants from infringing the claims of the '765 patent.

94. By reason of Defendants' infringing activities, Canon has suffered, and will continue to suffer, substantial damages in an amount to be determined at trial.

Eighth Cause of Action: Infringement of U.S. Patent No. 9,869,960

95. Canon repeats and incorporates by reference the allegations of paragraphs 1-26 above, as though set forth here in their entirety.

96. Defendants are directly infringing the '960 patent by selling and/or offering to sell within the United States and/or importing into the United States toner cartridges for use in at least the Canon and HP laser beam printers listed above, including but not limited to the aforementioned PTCE505AND, VTCE255AND, CCGPR40, and PTCF226A cartridges.

97. Defendants also are indirectly infringing the '960 patent at least by virtue of their inducement of direct infringement of that patent by customers who use Defendants' toner cartridges in at least the Canon and HP laser beam printers listed above. At the very latest, Defendants will be given notice of their infringement of the '960 patent upon being served with this Complaint. On information and belief, Defendants knowingly induce customers to use their toner cartridges, including, for example, by promoting their cartridges for use in specific printers and/or providing customers with instructions for using their cartridges in those printers.

98. Defendants' accused toner cartridges infringe one or more claims of the '960 patent. The PTCE505AND and VTCE255AND (Type A) cartridges, for example, infringe at least claims 1-7 of the '960 patent. Attached hereto as Exhibit 29, and incorporated by reference herein, is a claim chart detailing how a representative Type A toner cartridge infringes independent claim 1 of the '960 patent.

99. As another example, Defendants' CCGPR40 (Type E) cartridge infringes at least claims 1-7 of the '960 patent. Attached hereto as Exhibit 30, and incorporated by reference herein, is a claim chart detailing how a representative Type E toner cartridge infringes independent claim 1 of the '960 patent.

100. As still another example, Defendants' PTCF226A (Type F) cartridge infringes at least claims 1-7 of the '960 patent. Attached hereto as Exhibit 31, and incorporated by reference herein, is a claim chart detailing how a representative Type F toner cartridge infringes independent claim 1 of the '960 patent.

101. The Court has not yet construed the meaning of any claims or terms in the '960 patent. In providing these detailed allegations, Canon does not intend to convey or imply any particular claim construction or the precise scope of the claims. Canon's contentions regarding the construction of the claims will be provided in compliance with the case schedule, any applicable federal or local procedural rules, and/or any applicable orders.

102. Canon contends that each element of each asserted claim is literally present in the accused toner cartridges. If as a result of the Court's constructions or other determinations one or more claim elements are not literally present, Canon contends that each such element is present under the doctrine of equivalents and reserves its right to provide more detailed doctrine of equivalents contentions after discovery, a claim construction order from the Court, or at another appropriate time.

103. Defendants' acts complained of herein are damaging and will continue to cause irreparable injury and damage to Canon for which there is no adequate remedy at law. Canon is

therefore entitled to preliminary and permanent injunctions restraining and enjoining Defendants from infringing the claims of the '960 patent.

104. By reason of Defendants' infringing activities, Canon has suffered, and will continue to suffer, substantial damages in an amount to be determined at trial.

Ninth Cause of Action: Infringement of U.S. Patent No. 9,874,846

105. Canon repeats and incorporates by reference the allegations of paragraphs 1-26 above, as though set forth here in their entirety.

106. Defendants are directly infringing the '846 patent by selling and/or offering to sell within the United States and/or importing into the United States toner cartridges for use in at least the Canon and HP laser beam printers listed above, including but not limited to the aforementioned PTCE505AND, VTCE255AND, CCGPR40, and PTCF226A cartridges.

107. Defendants also are indirectly infringing the '846 patent at least by virtue of their inducement of direct infringement of that patent by customers who use Defendants' toner cartridges in at least the Canon and HP laser beam printers listed above. At the very latest, Defendants will be given notice of their infringement of the '846 patent upon being served with this Complaint. On information and belief, Defendants knowingly induce customers to use their toner cartridges, including, for example, by promoting their cartridges for use in specific printers and/or providing customers with instructions for using their cartridges in those printers.

108. Defendants' accused toner cartridges (including the drum units contained therein) infringe one or more claims of the '846 patent. The PTCE505AND and VTCE255AND (Type A) cartridges, for example, infringe at least claims 1-3 of the '846 patent. Attached hereto as Exhibit 32, and incorporated by reference herein, is a claim chart detailing how a representative Type A toner cartridge infringes independent claim 1 of the '846 patent.

109. As another example, Defendants' CCGPR40 (Type E) cartridge infringes at least claims 1-3 of the '846 patent. Attached hereto as Exhibit 33, and incorporated by reference

herein, is a claim chart detailing how a representative Type E toner cartridge infringes independent claim 1 of the '846 patent.

110. As still another example, Defendants' PTCF226A (Type F) cartridge infringes at least claims 1-3 of the '846 patent. Attached hereto as Exhibit 34, and incorporated by reference herein, is a claim chart detailing how a representative Type F toner cartridge infringes independent claim 1 of the '846 patent.

111. The Court has not yet construed the meaning of any claims or terms in the '846 patent. In providing these detailed allegations, Canon does not intend to convey or imply any particular claim construction or the precise scope of the claims. Canon's contentions regarding the construction of the claims will be provided in compliance with the case schedule, any applicable federal or local procedural rules, and/or any applicable orders.

112. Canon contends that each element of each asserted claim is literally present in the accused toner cartridges. If as a result of the Court's constructions or other determinations one or more claim elements are not literally present, Canon contends that each such element is present under the doctrine of equivalents and reserves its right to provide more detailed doctrine of equivalents contentions after discovery, a claim construction order from the Court, or at another appropriate time.

113. Defendants' acts complained of herein are damaging and will continue to cause irreparable injury and damage to Canon for which there is no adequate remedy at law. Canon is therefore entitled to preliminary and permanent injunctions restraining and enjoining Defendants from infringing the claims of the '846 patent.

114. By reason of Defendants' infringing activities, Canon has suffered, and will continue to suffer, substantial damages in an amount to be determined at trial.

Prayer for Relief

WHEREFORE, Canon prays for judgment and relief as follows:

A. That Defendants have infringed the Asserted Patents;

B. That Defendants and their subsidiaries, affiliates, officers, directors, agents, servants, employees, successors, and assigns, and all other persons and organizations in active concert or participation with them, be preliminarily and permanently enjoined from further acts of infringement of the Asserted Patents pursuant to 35 U.S.C. § 283;

C. That Defendants be ordered to pay damages adequate to compensate Canon for their infringement of the Asserted Patents pursuant to 35 U.S.C. § 284, including lost profits and/or a reasonable royalty, together with interest thereon;

D. That Defendants be ordered to pay all of Canon's costs associated with this action; and

E. That Canon be granted such other and additional relief as the Court deems equitable, just, and proper.

Jury Demand

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Canon demands a jury trial on all issues so triable.

Dated: February 28, 2018

s/ Tony R. Dalton
Tony R. Dalton (BPR No. 014812)
Gavin C. Shepherd (BPR No. 033066)
WOOLF, MCCLANE, BRIGHT, ALLEN &
CARPENTER, PLLC
900 Riverview Tower
900 S. Gay Street
Knoxville, Tennessee 37902-1810
Tel: (865) 215-1000 | Fax: (865) 215-1001
tdalton@wmbac.com
gshepherd@wmbac.com

Of Counsel:

Michael P. Sandonato
Dennis J. McMahon
Andrew J. Kutas
FITZPATRICK, CELLA, HARPER & SCINTO
1290 Avenue of the Americas
New York, New York 10104-3800
Tel: (212) 218-2100 | Fax: (212) 218-2200
msandonato@fchs.com
dcmahon@fchs.com
akutas@fchs.com

Edmund J. Haughey
FITZPATRICK, CELLA, HARPER & SCINTO
975 F Street, NW
Washington, DC 20004-1462
Tel: (202) 530-1010 | Fax: (202) 530-1055
ehaughey@fchs.com

Attorneys for Plaintiff Canon Inc.