

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP
2 Tigran Guledjian (Bar No. 207613)
3 tigranguledjian@quinnemanuel.com
4 Richard H. Doss (Bar No. 204078)
5 richarddoss@quinnemanuel.com
6 865 South Figueroa Street, 10th Floor
7 Los Angeles, California 90017-2543
8 Telephone: (213) 443-3000
9 Facsimile: (213) 443-3100

6 Attorneys for Plaintiffs Seiko Epson
7 Corporation, Epson America, Inc., and
8 Epson Portland Inc.

9 **UNITED STATES DISTRICT COURT**
10 **CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION**

12 **SEIKO EPSON CORPORATION,**
13 a Japan corporation; **EPSON**
14 **AMERICA, INC.,** a California
15 corporation; and **EPSON PORTLAND**
16 **INC.,** an Oregon corporation,,

15 Plaintiffs,

16 vs.

17 **AUDOORMATICS USA, INC.,** a
18 California corporation; **LEE'S**
19 **COLLECTION, INC.,** a California
20 corporation; **SHER LI,** an individual,
21 **IVY CHEN,** an individual; and **RI**
22 **HUA LI,** an individual,

23 Defendants.

CASE NO. _____

COMPLAINT FOR:
PATENT INFRINGEMENT

DEMAND FOR JURY TRIAL

Trial Date: None Set

1 Plaintiffs Seiko Epson Corporation, Epson America, Inc., and Epson Portland
2 Inc., (collectively, "Epson"), for their Complaint herein, allege as follows:

3 **NATURE OF THE ACTION**

4 1. This is an action for patent infringement of United States Patent No.
5 6,955,422 ("the '422 patent"), United States Patent No. 8,454,116 ("the '116 patent"),
6 and United States Patent No. 8,794,749 ("the '749 patent") (collectively "Epson
7 Patents") arising under the patent laws of the United States, 35 U.S.C. § 1 *et. seq.*

8 2. The infringing products at issue are aftermarket ink cartridges for use with
9 Epson printers. Over the years Epson has brought numerous actions in various district
10 courts as well as the United States International Trade Commission ("ITC" or
11 "Commission") for infringement of its patents. The ITC has issued two general
12 exclusion orders that prohibit the importation of ink cartridges that infringe certain
13 Epson patents, including the three patents asserted in this case. Epson's patent
14 enforcement efforts have been widely publicized and reported by the aftermarket ink
15 cartridge industry and by Epson itself. As a result, the aftermarket ink cartridge
16 industry is intimately familiar with the ITC's general exclusion orders and Epson's
17 patents. Players in the aftermarket ink cartridge industry know that importation and
18 sale of ink cartridges for use with Epson printers may violate the ITC's general
19 exclusion orders and infringe Epson's patents. Epson also gives notice of its patents,
20 including the '422, '749, and '116 patents, by virtual marking of its cartridges pursuant
21 to 35 U.S.C. § 287(a). Nevertheless, infringers continue to import and sell ink
22 cartridges that infringe Epson's patents in flagrant violation of the ITC's general
23 exclusion orders and United States patent law.

24 3. Defendants in this case are willful infringers of Epson's patents, including
25 the '422, '749, and '116 patents, and violators of the ITC's general exclusion orders.
26 Epson brings this action to recover money damages, for a preliminary and permanent
27 injunction, and for other relief as set forth herein.

28

1 **RELATED ACTIONS**

2 4. This action is related to the following twenty-four actions because one or
3 more of the Epson patents asserted here are/were also asserted in those cases against
4 infringing aftermarket ink cartridges that, from a patent analysis perspective, are the
5 same as the accused products in this case:

- 6 a. *Seiko Epson Corporation, et al. v. Straightouttink, LP, et al.*,
7 Civil No. 5:19-cv-08240 (N.D.CA.), filed on December 18,
8 2019, currently pending;
- 9 b. *Seiko Epson Corporation, et al. v. Vintrick Inc., et al.*, Civil No.
10 1:19-cv-10697-CJC-AFM (C.D.CA.), filed on December 18,
11 2019, concluded by default judgment and permanent injunction;
- 12 c. *Seiko Epson Corporation, et al. v. BCH Technologies LLC, et al.*,
13 Civil No. 1:19-cv-01067 (M.D.N.C.), filed on October 17, 2019,
14 concluded by settlement, consent judgment and permanent
15 injunction with respect to certain defendants, and currently
16 pending with respect to certain other defendants;
- 17 d. *Seiko Epson Corporation, et al. v. STS Refill Technology, LLC,*
18 *et al.*, Civil No. 9:18-cv-81723-CV-ALTMAN (S.D.FL.), filed
19 on December 17, 2018, concluded by settlement, consent
20 judgment and permanent injunction;
- 21 e. *Seiko Epson Corporation, et al. v. CIS Systems, Inc., et al.*, Civil
22 No. 1:18-cv-06586-ENV-PK (N.D.IL.), filed on September 27,
23 2018, concluded by settlement, consent judgment and permanent
24 injunction;
- 25 f. *Seiko Epson Corporation, et al. v. Inkjet2U LLP, et al.*, Civil No.
26 3:16-cv-2322-YY (D. Or.) filed on December 14, 2016,
27 concluded by default judgment and permanent injunction;
- 28

- 1 g. *Seiko Epson Corporation, et al. v. FTrade Inc., et al.*, Civil No.
2 1:18-cv-05036-ENV-PK (E.D.N.Y.), filed on September 5, 2018,
3 concluded by settlement, consent judgment and permanent
4 injunction;
- 5 h. *Seiko Epson Corporation, et al. v. Sinotime Technologies, Inc.,*
6 *et al.*, Civil No. 18-cv-22838-Gayles/Otazo-Reyes (S.D. Fla.)
7 filed on July 13, 2018, concluded by settlement, consent
8 judgment and permanent injunction;
- 9 i. *Seiko Epson Corporation, et al. v. EZ Inks et al.*, Civil No. 1:18-
10 cv-01338 (E.D.N.Y.), filed on March 2, 2018, concluded by
11 settlement, consent judgment and permanent injunction;
- 12 j. *Seiko Epson Corporation, et al. v. InkPro2Day, et al.*, Civil No.
13 2:18-cv-00372-JAD-NJK (D. Nev.) filed on March 1, 2018,
14 concluded by default judgment and permanent injunction;
- 15 k. *Seiko Epson Corporation, et al. v. Prinko Image Co. (USA), Inc.*,
16 Civil No. 2:17-cv-04501-AB (JCx) (C.D. Cal.) filed on June 16,
17 2017, concluded by default judgment and permanent injunction;
- 18 l. *Seiko Epson Corporation, et al. v. Soldcrazy USA LLC*, Civil No.
19 2:17-cv-04502-AB (JCx) (C.D. Cal.) filed on June 16, 2017,
20 concluded by default judgment and permanent injunction;
- 21 m. *Seiko Epson Corporation, et al. v. Advance Image*
22 *Manufacturers, Inc.*, Civil No. 3:17-cv-425-YY (D. Or.) filed on
23 March 16, 2017, concluded by default judgment and permanent
24 injunction;
- 25 n. *Seiko Epson Corporation, et al. v. OW Supplies Corp., et al.*,
26 Civil No. 3:17-cv-363-YY (D. Or.) filed on March 3, 2017,
27 concluded by settlement, consent judgment and permanent
28 injunction;

- 1 o. *Seiko Epson Corporation, et al. v. Ta Trix USA Inc.*, Civil No.
2 3:17-cv-369-YY (D. Or.) filed on March 3, 2017, concluded by
3 settlement, consent judgment and permanent injunction;
4 p. *Seiko Epson Corporation, et al. v. Gaea Supplies Corporation,*,
5 Civil No. 3:17-cv-366-SB (D. Or.) filed on March 3, 2017,
6 concluded by settlement, consent judgment and permanent
7 injunction;
8 q. *Seiko Epson Corporation, et al. v. HT Tech, Inc. and HT Imaging*
9 *Inc.*, Civil No. 3:16-cv-2321-YY (D. Or.) filed December 14,
10 2016, concluded by settlement, consent judgment and permanent
11 injunction;
12 r. *Seiko Epson Corporation, et al. v. Shoppers Smart LLC, Houses*
13 *Investing, LLP and Houses Investing Of Florida, Corp.*, Civil
14 No. 3:16-cv-2324-YY (D. Or.) filed on December 14, 2016,
15 concluded by settlement, consent judgment and permanent
16 injunction;
17 s. *Seiko Epson Corporation, et al. v. Nano Business & Technology,*
18 *Inc.*, Civil No. 3:16-cv-02211-YY (D. Or.), filed on November
19 22, 2016, concluded by settlement, consent judgment and
20 permanent injunction;
21 t. *Seiko Epson Corporation, et al. v. Glory South Software*
22 *Manufacturing Inc., et al.*, Civil No. 06-236-BR (D. Or.), filed
23 on February 17, 2006, concluded by default judgment and
24 permanent injunction
25 u. *Seiko Epson Corporation, et al. v. Glory South Software*
26 *Manufacturing Inc., et al.*, Civil No. 06-477-BR (D. Or.), filed
27 on April 7, 2006, concluded by default judgment and permanent
28 injunction;

- 1 v. *Seiko Epson Corporation, et al. v. Abacus 24-7 LLC, et al.*, Civil
- 2 No. 09-477-BR (D. Or.), filed on April 28, 2009, concluded by
- 3 settlement, consent judgment and permanent injunction;
- 4 w. *Seiko Epson Corporation, et al. v. E-Babylon, Inc., et al.*, Civil
- 5 No. 07-896-BR (D. Or.), filed on June 18, 2007, concluded by
- 6 settlement, consent judgment and permanent injunction; and
- 7 x. *Seiko Epson Corporation, et al. v. Inkjetmadness.com, Inc., et*
- 8 *al.*, Civil No. 08-452-BR (D. Or.), filed on April 10, 2008,
- 9 concluded by settlement, consent judgment and permanent
- 10 injunction.

11 5. In addition, this action is related to *In the Matter of CERTAIN INK*
12 *CARTRIDGES AND COMPONENTS THEREOF*, Investigation No. 337-TA-946,
13 United States International Trade Commission, Washington, D.C., which was
14 adjudicated by the ITC in a final determination (Commission Opinion, May 26, 2016)
15 (the "ITC 946 Investigation") and in which the Commission issued a General Exclusion
16 Order and certain Cease and Desist Orders that include the '749 patent and the '116
17 patent. The '749 and '116 patents asserted in this case were litigated in the ITC 946
18 Investigation against the same or overlapping groups of aftermarket ink cartridges that
19 are accused of infringement in this action.

20 6. Finally, this action is related to *In the Matter of CERTAIN INK*
21 *CARTRIDGES AND COMPONENTS THEREOF*, Investigation No. 337-TA-565,
22 United States International Trade Commission, Washington, D.C., which was
23 adjudicated by the ITC in a final determination (Commission Opinion, Oct. 19, 2007)
24 (the "ITC 565 Investigation") and in which the Commission issued a General Exclusion
25 Order and certain Cease and Desist Orders that include the '422 patent. The '422 patent
26 at issue in this case was litigated in the ITC 565 Investigation against the same or
27 overlapping groups of aftermarket ink cartridges that are accused of infringement in this
28 action.

THE PARTIES

1
2 7. Plaintiff Seiko Epson Corporation ("Seiko Epson") is a corporation
3 organized and existing under the laws of Japan. Its principal place of business is
4 located at 3-3-5 Owa Suwa-Shi Nagano-Ken, 392-8502, Japan. Seiko Epson is the
5 assignee of the Epson Patents.

6 8. Plaintiff Epson America, Inc. ("Epson America") is a corporation
7 organized and existing under the laws of the State of California. Its principal place of
8 business is located at 3840 Kilroy Airport Way, Long Beach, California 90806. As the
9 North American sales, marketing and customer service affiliate of Seiko Epson, Epson
10 America is the exclusive licensee of the Epson Patents for distributing in the United
11 States Epson ink cartridges that embody the inventions contained in the Epson Patents,
12 including cartridges manufactured by Epson Portland Inc.

13 9. Plaintiff Epson Portland Inc. ("Epson Portland is a corporation organized
14 and existing under the laws of the State of Oregon. Its principal place of business is
15 located at 3950 NE Aloclek Place, Hillsboro, Oregon 97124. Epson Portland is the
16 exclusive licensee of the Epson Patents for manufacturing in the United States Epson
17 ink cartridges that embody the inventions contained in the Epson Patents. Seiko Epson,
18 Epson America, and Epson Portland are sometimes referred to collectively herein as
19 "Epson" or "Plaintiffs."

20 10. Plaintiffs produce and sell ink cartridges that operate with Epson ink jet
21 printers utilizing Epson's patented technology and designs in the United States and in
22 this judicial district.

23 11. On information and belief, and according to the California Secretary of
24 State, defendant Audoormatics USA, Inc. ("Audoormatics") is a corporation organized
25 and existing under the laws of the State of California. Based on information and belief,
26 and according to filings with the California Secretary of State by Audoormatics, Sher
27 Li is the President and Chief Executive Officer ("CEO") of Audoormatics, Ivy Chen is
28 the Secretary and Chief Financial Officer ("CFO"), the principal office and mailing

1 address of Audoormatics is 2213 Edwards Avenue, South El Monte, California 91733,
2 and the registered agent for service of process of Audoormatics is Ivy Chen and the
3 service address is 16435 Santa Bianca Drive, Hacienda Heights, California 91745.

4 12. According to the United States Patent and Trademark Office's online
5 records, on December 8, 2014, Defendant Audoormatics filed with the United States
6 Patent and Trademark Office an application for registration as a trademark the mark
7 "CISINKS," application serial no. 86473743, with the identified goods and services
8 listed as "Filled ink cartridges; Ink cartridges for printers; Ink jet cartridges; Ink jet
9 printer ink; Inks, toners and dyes for use with or on textiles and fabrics; Toners."
10 According to the United States Patent and Trademark Office's online records, the
11 application was abandoned on September 23, 2015 because the applicant failed to
12 respond or filed a late response to an Office Action.

13 13. According to the United States Patent and Trademark Office's online
14 records, on January 6, 2015, Defendant Audoormatics filed with the United States
15 Patent and Trademark Office an application for registration as a trademark the mark
16 "WYZworks," application serial no. 86496126, with the identified goods and services
17 listed as "Semi-worked ABS (acrylonitrile butadiene styrene) filaments for use in 3D
18 printing; Semi-worked PLA (polylactic acid) filaments for use in 3D printing; Semi-
19 worked thermoplastic filaments used for 3D printing." According to the United States
20 Patent and Trademark Office's online records, the application was granted and on
21 August 18, 2015, the mark was issued as registration number 4794455.

22 14. On information and belief, and according to the California Secretary of
23 State, defendant Lee's Collection Inc. ("Lee's Collection") is a corporation organized
24 and existing under the laws of the State of California. Based on information and belief,
25 and according to filings with the California Secretary of State by Lee's Collection, Sher
26 Li is the CEO and Secretary of Lee's Collection, Ri Hua Li is the CFO of Lee's
27 Collection, the principal office and mailing address of Lee's Collection is 2213 Edwards
28 Avenue, South El Monte, California 91733 (the same address as Audoormatics), and

1 the registered agent for service of process of Lee's Collection is Ri Hua Li and the
2 service address is 5923 Bartlett Avenue, San Gabriel, California 91775.

3 15. On information and belief, defendant, Sher Li, is an individual who resides
4 in California, and is the President and CEO of defendant Audoormatics, and is the CEO
5 and Secretary of Lee's Collection. Sher Li's residence address is 5923 Bartlett Avenue,
6 San Gabriel, California 91775 (the same address as the service of process address for
7 Lee's Collection).

8 16. On information and belief, defendant, Ivy Chen, is an individual who
9 resides in California, and is the CFO, Secretary, and agent for service of process of
10 defendant Audoormatics. Ivy Chen's residence address is 16435 Santa Bianca Drive,
11 Hacienda Heights, California 91745 (the same address as the service of process address
12 for Audoormatics).

13 17. On information and belief, defendant, Ri Hua Li, is an individual who
14 resides in California, and is the CFO and agent for service of process of defendant Lee's
15 Collection. Ri Hua Li's residence address is 5923 Bartlett Avenue, San Gabriel,
16 California 91775 (the same address as the service of process address for Lee's
17 Collection).

18 18. Collectively, defendants Audoormatics, Lee's Collection, Sher Li, Ivy
19 Chen, and Ri Hua Li are referred to herein as "Defendants."

20 19. On information and belief, Defendants have and continue to conduct
21 business on the Internet under various seller names, including but not limited to
22 "CISinks" through their website cisinks.com, and through their listings and/or
23 storefronts on newegg.com, "diyinks" and "supertobuy" through their listings and/or
24 storefronts on ebay.com. Directly through their website, newegg.com, and ebay.com
25 Defendants offer for sale and sell ink cartridges that infringe the Epson Patents.

26 20. For example, in the annotated screen captures below of Defendants' listing
27 on their website cisinks.com, visited on August 19, 2020, Defendants offered for sale
28 an infringing continuous ink supply system for Epson printers and described the

1 infringing product as: "[DELUXE Continuous Ink Supply System] for Epson
2 Expression XP-200, XP-300, XP-400, XP-310, XP-410, Workforce WF2520, WG2530,
3 WF2540 Printer CISS CIS B," and "Cartridge numbers T2001 (Black), T2002 (Cyan),
4 T2003 (Magenta), T2004 (Yellow)" "for use on Epson Printers."



21 21. As another example, in the annotated screen capture below of Defendants'
22 listing on their website cisinks.com, visited on June 19, 2020, Defendants offered for
23 sale infringing ink cartridges for Epson printers and describe the infringing ink
24 cartridges as: "[Refillable Ink Cartridge KIT] for Epson Expression XP-200, XP-300,
25 XP-400, XP-310, XP-410, Workforce WF-2520, WF-2530, WF-2540 Printers," and "A
26 Set of 4 New Epson Compatible Cartridges for Epson Printers."

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CISinks SAVE Like 351 Now Carrying TONERS Shop Now \$5 Flat Rate Shipping Try Us, It's Risk Free!

Top » Catalog » For Epson Printers » Refillable Cartridge & Ink Kits » T200 » XP-410 My Account | Cart

Search Printer/Cartridge Model

Advanced Search

Categories

- Recommended Printers
- For Brother Printers
- For Canon Printers
- For HP Printers
- For Epson Printers
 - Continuous Ink System
 - Refillable Cartridge
 - Refillable Cartridge & Ink Kits
 - T0481-T0486
 - T0540/1/2/3/4/7/8/9
 - T0591/2/3/4/5/6/7/9
 - T0601 T0602 T0603 T0604
 - T0691 T0692 T0693 T0694
 - T0781-T0786
 - T0791-T0796
 - T0870/1/2/3/4/7/8/9
 - T0961/2/3/4/5/6/7/9
 - T0981-T0986
 - T1251 T1252 T1253 T1254
 - T1261 T1262 T1263 T1264
 - T1271 T1272 T1273 T1274
 - T1571-T1579

[Refillable Ink Cartridge KIT] for Epson Expression XP-200 XP-300 XP-310 XP-400 XP-410 Workforce WF-2520 WF-2530 WF-2540 Printers \$35.99

[R04P5-0410]

★★★★★ (1 customer reviews)

A Set of 4 New Epson Compatible Cartridges For Epson Printers

Epson Expression XP-200 XP-300 XP-400 Workforce WF2530 WF2540 Printers

Plus 4 refill bottles of 100ML DYE Based ink per bottle: **Black, Cyan, Magenta, Yellow** (400ML) OF DYE BASED INK

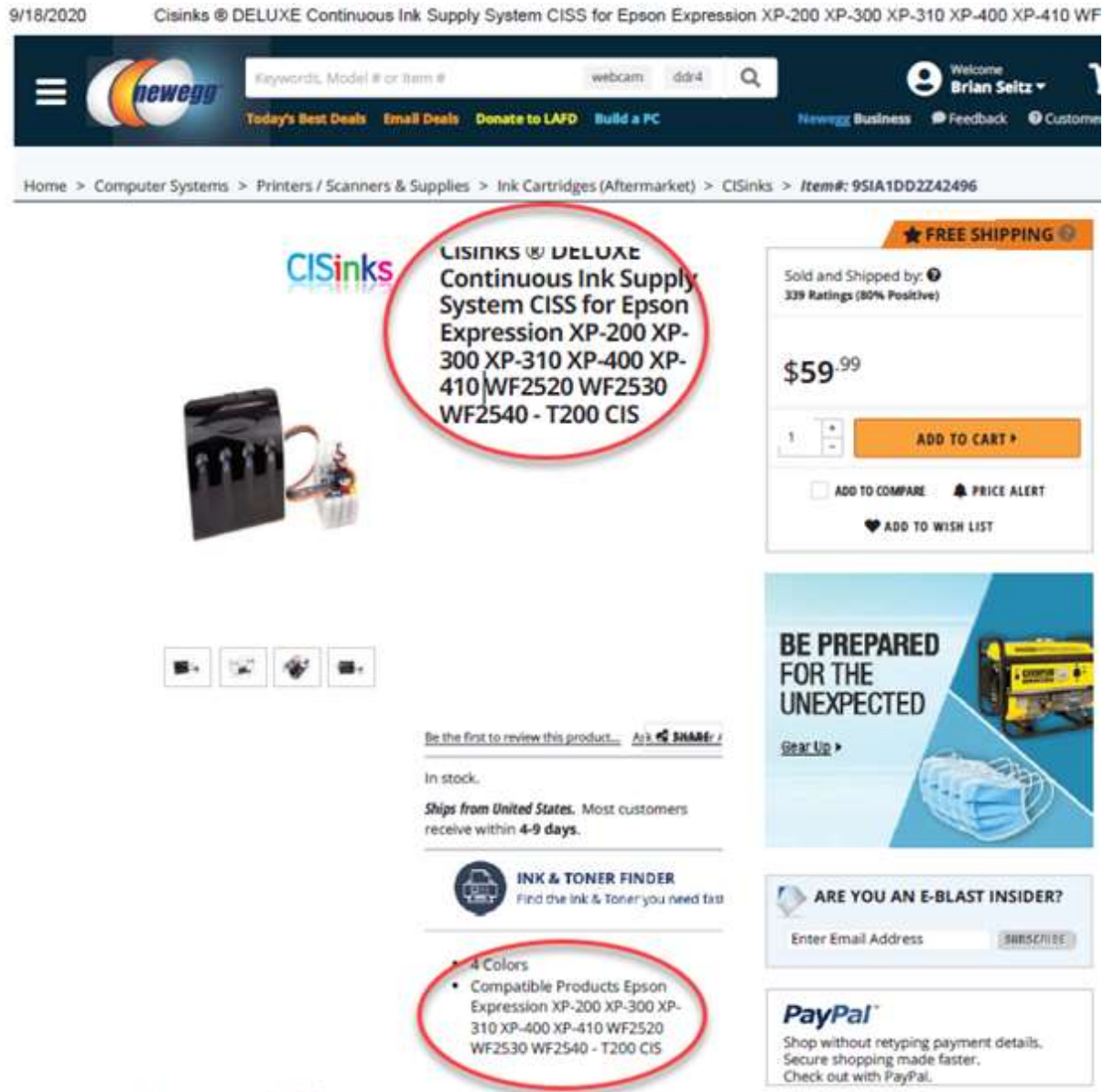
- Brand new! Sealed packages!
- They are Pre-filled with 15ml of ink in each cartridge!
- These cartridges are refillable. So, they can be refilled over and over again! You will never need to buy cartridges AGAIN!
- These Cartridges Come with New Auto reset chips that reset automatically! Chips can be reset by turning printer off, or reset automatically when cartridge reaches about 90% empty.

Click to enlarge

Quantity: 1

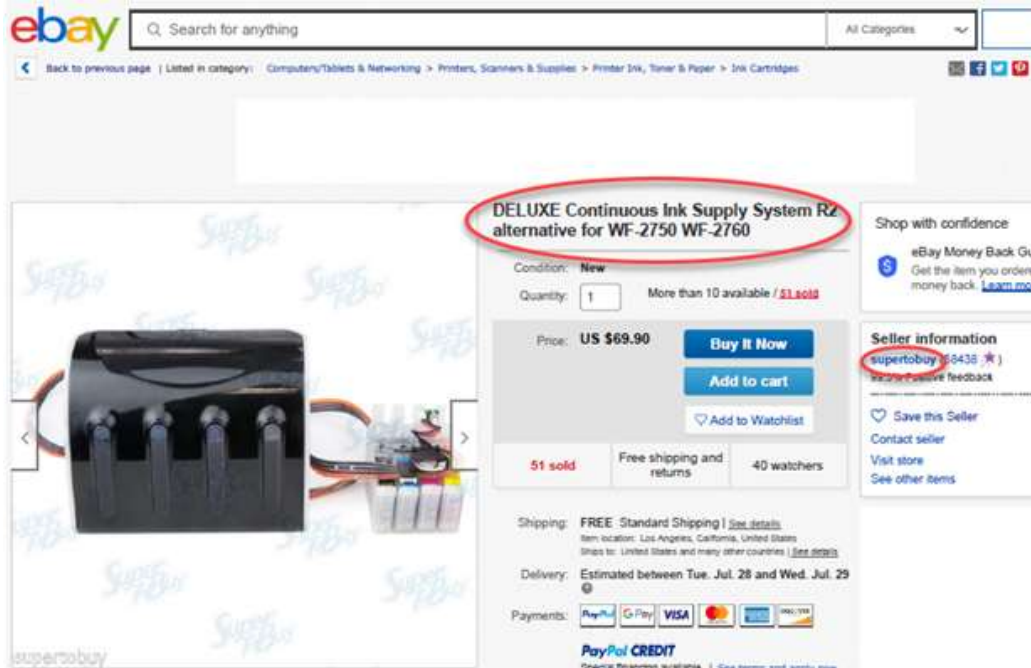
22. As another example, in the annotated screen capture below of Defendants' "CISinks" storefront on newegg.com, visited on August 18, 2020, Defendants offered for sale their infringing continuous ink supply system for Epson printers and described the infringing product as: "CISinks DELUXE Continuous Ink Supply System CISS for Epson Expression XP-200, XP-300, XP-310, EXP-400, XP-410 WF2520, WF2530, WF2540 – T200CIS" and "Compatible Products Epson Expression XP-200, XP-300, XP-310, EXP-400, XP-410 WF2520, WF2530, WF2540 – T200CIS."

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

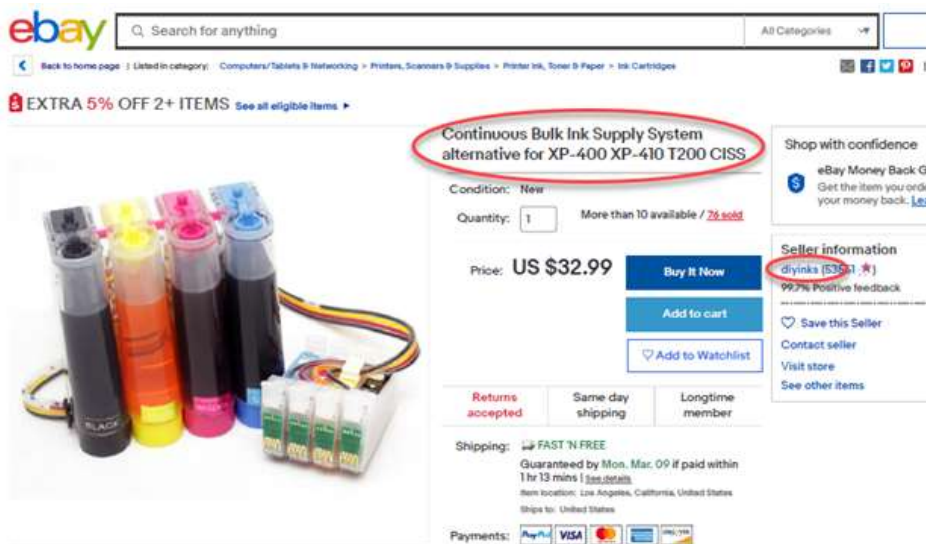


23. As another example, in the annotated screen capture below of Defendants' "supertobuy" storefront on ebay.com, visited July 21, 2020, Defendants offered for sale their infringing continuous ink supply system for Epson printers and described the infringing product as: "DELUXE Continuous Ink Supply System R2 alternative for WF-2750, WF-2760."

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



24. As another example, in the annotated screen capture below of Defendants' "diyinks" storefront on ebay.com, visited March 4, 2020, Defendants offered for sale their infringing continuous ink supply system for Epson printers and described the infringing product as: "Continuous Bulk Ink Supply System alternative CISS for Epson Expression XP-400, XP-410, T200 CISS."




1 29. Epson owns all right, title, and interest in, including the right to sue
2 thereon and the right to recover for infringement thereof, United States Patent No.
3 6,955,422, which was duly and legally issued to Seiko Epson by the United States
4 Patent and Trademark Office on October 18, 2005. Attached as Exhibit A to this
5 Complaint is a true and correct copy of the '422 patent. On September 29, 2009,
6 reexamination certificate 6,955,422 C1 was duly and legally issued to Seiko Epson by
7 the Unites States Patent and Trademark Office. Attached as Exhibit B to this
8 Complaint is a true and correct copy of the reexamination certificate of the '422 patent.
9 The original patent and the reexamination certificate are collectively referred to herein
10 as "the '422 patent." The '422 patent relates generally to ink cartridges for printers.

11 30. The '422 patent is valid and enforceable.

12 31. On information and belief after conducting a reasonable investigation,
13 Defendants have infringed and are infringing the '422 patent, as defined by numerous
14 claims of the patent in violation of 35 U.S.C. § 271(a) by making, using, importing,
15 offering to sell, and selling in this judicial district and elsewhere aftermarket ink
16 cartridges and continuous ink supply systems that operate with Epson ink jet printers,
17 including but not limited to ink cartridges having model nos. 200XL, 200XL CISS,
18 220XL CISS, T200XL120, T200XL220, T200XL320, T200XL420, T220XL120,
19 T220XL220, T220XL320, and T220XL420, as well as others that are no more than
20 colorably different from the foregoing (collectively, the "Accused '422 Ink Cartridges").
21 The specific models of Accused '422 Ink Cartridges identified above were obtained by
22 Epson during its investigation leading to this Complaint from Defendants' online
23 listings on their cisinks.com website and storefronts on newegg.com and ebay.com.

24 32. As a non-limiting example, set forth below is a claim chart with a
25 description of Defendants' infringement of exemplary claim 1 of the '422 patent by the
26 Accused '422 Ink Cartridges. The infringement is shown using a representative ink
27
28

1 cartridge (Model No. 200XL; Control No.¹ 200352) from among the Accused '422 Ink
 2 Cartridges purchased from Defendants that, for infringement analysis purposes, is
 3 representative of and represents all of Defendants' ink cartridges within the Accused
 4 '422 Ink Cartridges (i.e., the represented ink cartridges), including, but not limited to,
 5 the models identified above. The claim chart below refers to this ink cartridge as "the
 6 Representative '422 Ink Cartridge." The Representative '422 Ink Cartridge was
 7 designed for use in a specific Epson printer, the Epson WorkForce WF-2540 printer
 8 ("the Representative '422 Epson Printer"), and for purposes of the analysis set forth
 9 herein, the Representative '422 Ink Cartridge was tested in the Representative '422
 10 Epson Printer, as discussed in further detail in the claim chart below.

Claim 1 of the '422 Patent	Where found in the Accused '422 Ink Cartridges
[1a] An ink cartridge detachably mountable on a carriage which is reciprocally movable in a recording apparatus and which has a plurality of electrodes, an engagement portion and an ink supply needle, the ink cartridge comprising:	Each of the Accused '422 Ink Cartridges is an ink cartridge for detachably mounting on the carriage of an Epson ink jet printer that is reciprocally movable in a recording apparatus (i.e., an ink jet printer). Defendants market and sell the Accused '422 Ink Cartridges as being compatible with one or more specific Epson ink jet printers. For example, the Representative '422 Ink Cartridge is compatible with the Representative '422 Epson Printer. <div style="text-align: center;">  <p style="color: red; font-size: small;">an ink cartridge detachably mountable on a carriage of a recording apparatus (i.e., an ink jet</p> </div>

26 ¹ For identification purposes, a unique "control number" ("Control No.") has
 27 been assigned by Epson to this ink cartridge and all other ink cartridges, purchased
 28 by Epson from Defendants as part of Epson's investigation leading to the filing of
 this Complaint.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

The following photograph depicts the Representative '422 Ink Cartridge detachably mounted in the carriage of the Representative '422 Epson Printer.

Representative '422 Ink Cartridge detachably mounted in the carriage of the Representative '422 Epson Printer

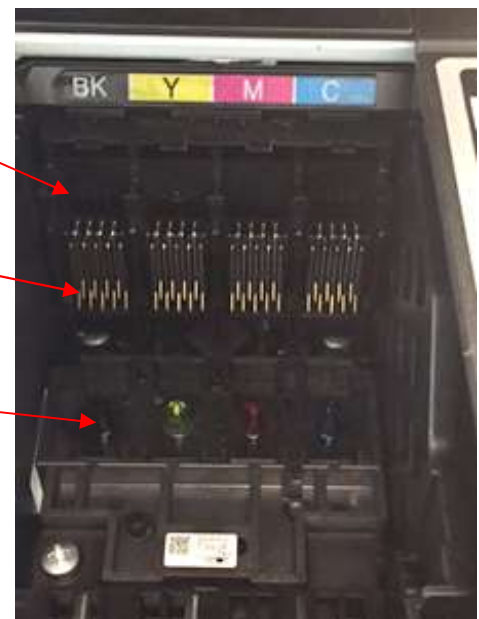


The reciprocally movable carriage in a recording apparatus (i.e., an ink jet printer) has a plurality of electrodes, an engagement portion and an ink supply needle. The following photograph shows the engagement portion, electrodes, and ink supply needle of the carriage of the Representative '422 Epson Printer.

Engagement portion of the carriage of the Representative '422 Epson Printer

Electrodes of the carriage of the Representative '422 Epson Printer

Ink supply needle of the carriage of the Representative '422 Epson Printer



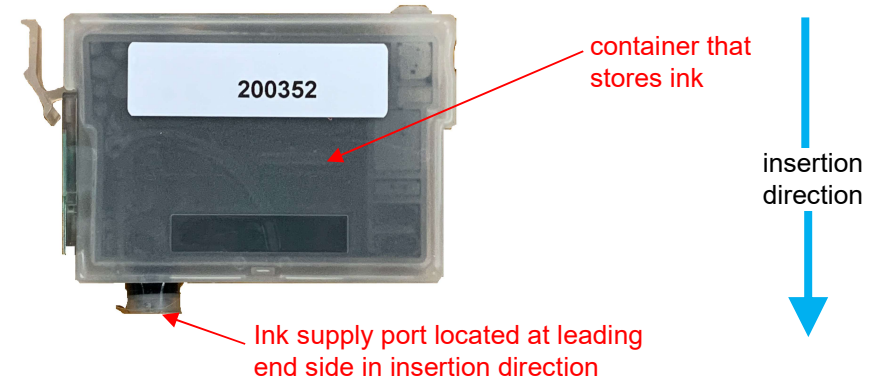
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

	<p>When mounted, each of the Accused '422 Ink Cartridges supplies ink to the printhead of the ink jet printer through an ink supply needle of the printer (the needle, which is part of the carriage inside the ink jet printer and not part of the cartridge, has a passage that allows ink to pass from the ink cartridge through the needle).</p> <p>Accordingly, the Accused '422 Ink Cartridges literally meet the preamble of claim 1 of the '422 patent.</p>
--	---

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[1b] a container that stores ink therein and has an ink supply port connectable to the ink supply needle, the ink supply port being located in a leading end side in an insertion direction of the container into the carriage, the container further having first and second surfaces opposite each other, the first surface being substantially parallel to the insertion direction of the container into the carriage;

Each of the Accused '422 Ink Cartridges has a container that stores ink, an ink supply port that is connectable to the ink supply needle of the printer carriage, with the ink supply port located in a leading end side in an insertion direction of the container into the carriage. These features are shown below using the Representative '422 Ink Cartridge:



Each of the Accused '422 Ink Cartridges has a container that has a first and second surfaces opposite each other, the first surface being substantially parallel to the insertion direction of the container into the carriage. These features are shown below using the Representative '422 Ink Cartridge:

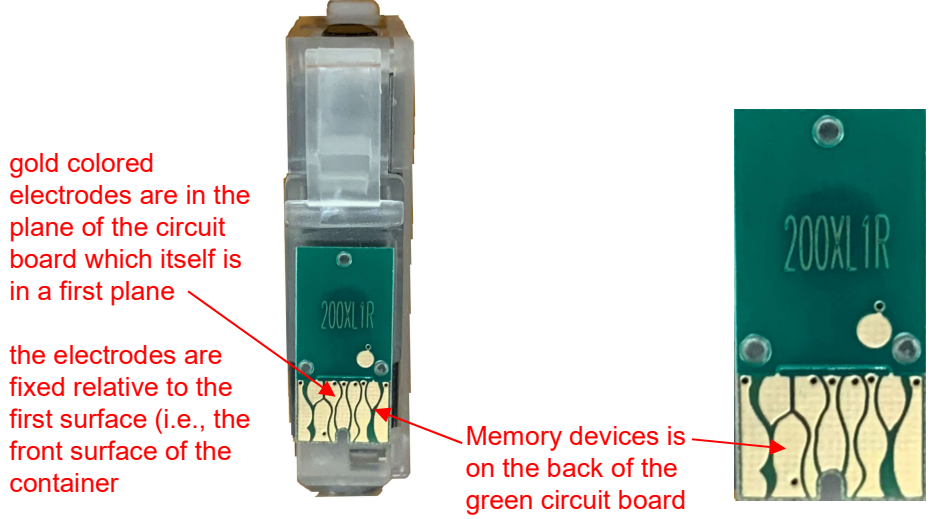


Accordingly, the Accused '422 Ink Cartridges literally meet this limitation of claim 1 of the '422 patent.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[1c] a memory device having a plurality of electrodes disposed substantially in a first plane for respective electrical connection to the electrodes of the carriage, the electrodes of the memory device being fixed relative to the first surface of the container; and

Each of the Accused '422 Ink Cartridges has a memory device having a plurality of electrodes that are disposed substantially in a first plane for respective electrical connection to the electrodes of the carriage, the electrodes of the memory device are fixed relative to the first surface of the container. These features are shown below using the Representative '422 Ink Cartridge:

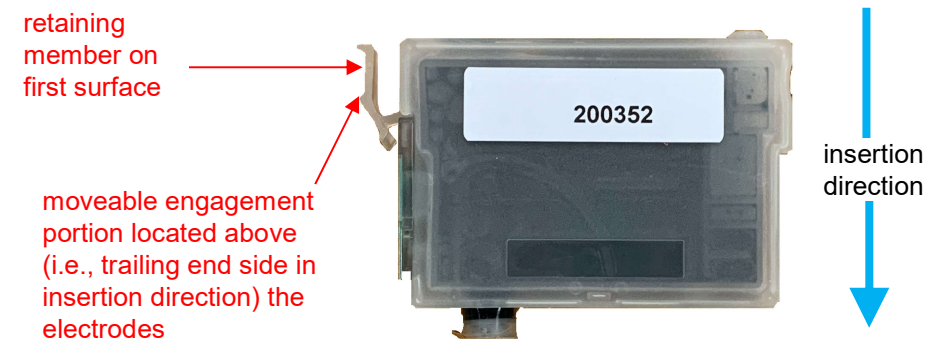


Accordingly, the Accused '422 Ink Cartridges literally meet this limitation of claim 1 of the '422 patent.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[1d] a retaining member disposed on the first surface of the container, and having a movable engagement portion that can shift position relative to the first surface of the container and which is located at a trailing end side relative to the electrodes of the memory device in the insertion direction of the container into the carriage, and which is engageable with the engagement portion of the carriage,

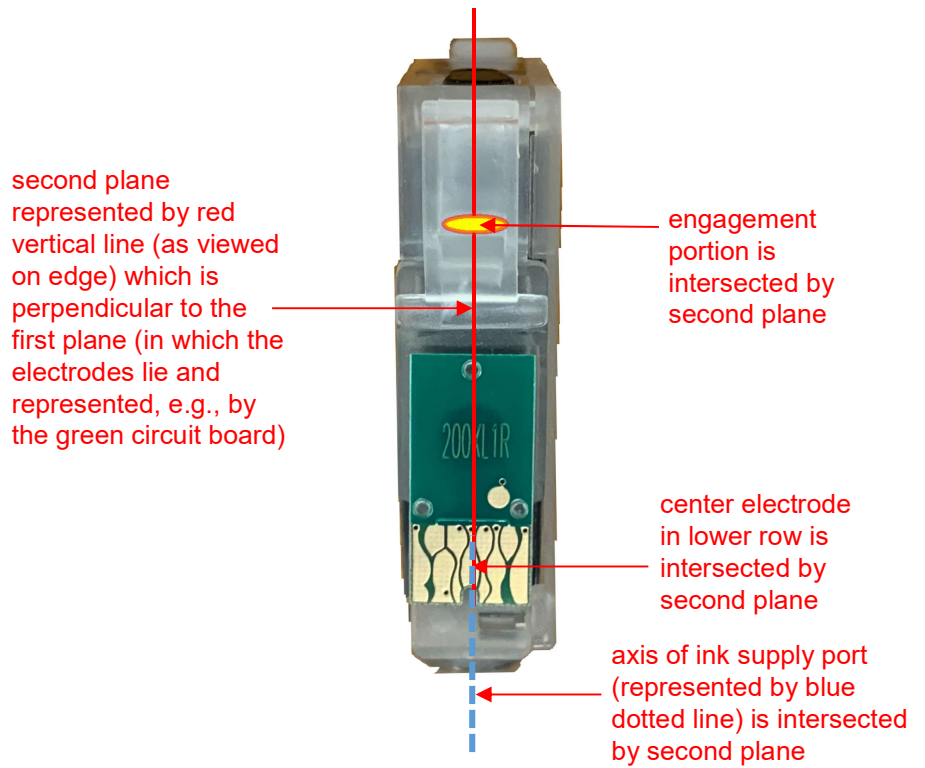
Each of the Accused '422 Ink Cartridges has a retaining member disposed on the first surface of the container, and has a movable engagement portion that can shift position relative to the first surface of the container. The movable engagement portion is located at a trailing end side relative to the electrodes of the memory device in the insertion direction of the container into the carriage. The movable engagement portion of the retaining member is engageable with the engagement portion of the carriage. These features are shown below using the Representative '422 Ink Cartridge:



Accordingly, the Accused '422 Ink Cartridges literally meet this limitation of claim 1 of the '422 patent.

[1e] wherein at least one said electrode, the movable engagement portion, and an axis of the ink supply port are intersected by a second plane that is perpendicular to the first plane.

In each of the Accused '422 Ink Cartridges at least one of the electrodes, the movable engagement portion, and the axis of the ink supply port are intersected by a second plane that is perpendicular to the first plane. These features are shown below using the Representative '422 Ink Cartridge:



Accordingly, the Accused '422 Ink Cartridges literally meet this limitation of claim 1 of the '422 patent.

33. As explained in paragraph 32, the infringement analysis set forth in the above claim chart is shown with respect to one representative cartridge, namely, Representative '422 Ink Cartridge (Model No. 200XL; Control No. 200352). However, from a patent infringement analysis perspective, the infringement analysis applies in exactly the same way to all represented ink cartridges. This includes all of the models identified in paragraph 31 that Epson obtained from Defendants, as well as any other models that are no more than colorably different from the models identified in paragraph 31. Specifically, this also includes products described as "continuous ink

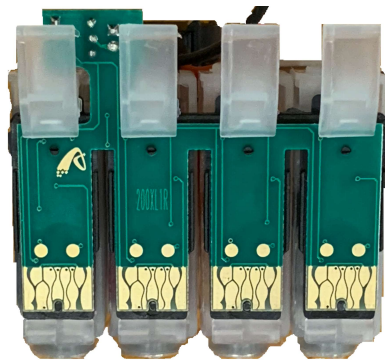
1 supply systems," such as Model No. 200XL CISS (Control No. 200546), identified in
2 paragraph 31. Such continuous ink supply system products may be comprised of an
3 individual color "cartridge" or multiple color "cartridges" that are formed integrally, as
4 is the case with Model No. 200XL CISS (Control No. 200546). In either case, such
5 continuous ink supply system products infringe the '422 patent in exactly the same way
6 as set forth in the above claim chart because these products have all of the elements that
7 meet all of the limitations of the various claims of the '422 patent, for example, claim 1
8 shown in the above claim chart. Images of Defendants' Model No. 200 XL CISS
9 (Control No. 200546) continuous ink supply system product are shown below and are
10 specifically accused of infringement herein as set forth in the above claim chart.



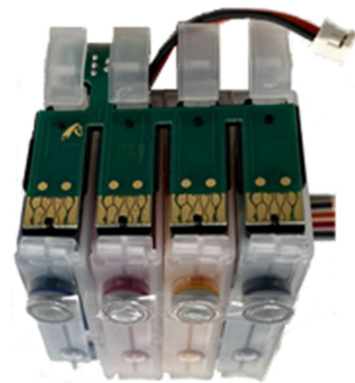
Perspective view



Defendants' Model No. 200XL CISS product installed in the Representative '116 Epson Printer



View showing circuit boards



View showing ink supply port

1 34. On information and belief after conducting a reasonable investigation,
2 Defendants have and are actively, knowingly, and intentionally aiding and abetting and
3 inducing infringement of the '422 patent in violation of 35 U.S.C. § 271(b) by non-
4 parties, including end-users, despite Defendants' knowledge of the '422 patent.

5 35. On information and belief, defendants Sher Li, President and CEO of
6 defendant Audoormatics, and Ivy Chen, CFO and Secretary of Audoormatics, direct
7 and control the infringing activities of defendant Audoormatics and have taken and
8 continue to take active steps to encourage and induce defendant Audoormatics to
9 infringe by actively running and directing the businesses, including but not limited to
10 being the principal decision makers regarding the promotion, advertising, and sale of
11 products that infringe the '422 patent on Defendants' website and storefronts on internet
12 marketplaces, including ebay.com, and newegg.com discussed above in paragraphs 11-
13 25.

14 36. On information and belief, defendants Sher Li, CEO and Secretary of
15 defendant Lee's Collection, and Ri Hua Li, CFO of Lee's Collection, direct and control
16 the infringing activities of defendant Lee's Collection and have taken and continue to
17 take active steps to encourage and induce defendant Lee's Collection to infringe by
18 actively running and directing the businesses, including but not limited to being the
19 principal decision makers regarding the promotion, advertising, and sale of products
20 that infringe the '422 patent on Defendants' website and storefronts on internet
21 marketplaces, including ebay.com, and newegg.com discussed above in paragraphs 11-
22 25.

23 37. On information and belief, Defendants had knowledge of the '422 patent
24 prior to, or at least since the filing and service of this complaint on Defendants.

25 38. On information and belief, Defendants are contributing to the infringement
26 of the '422 patent in violation of 35 U.S.C. § 271(c) by non-parties by offering to sell or
27 selling within the United States or importing into the United States components of the
28 patented inventions set forth in the '422 patent. The components constitute a material

1 part of the inventions. Defendants know that such components are especially made or
2 especially adapted for use in an infringement of the '422 patent. The components are
3 not a staple article or commodity of commerce suitable for substantial noninfringing
4 use.

5 39. By reason of Defendants' infringing activities, Epson has suffered, and will
6 continue to suffer, substantial damages in an amount to be proven at trial.

7 40. Defendants' acts complained of herein have damaged and will continue to
8 damage Epson irreparably. Epson has no adequate remedy at law for these wrongs and
9 injuries. Epson is therefore entitled to a preliminary and permanent injunction
10 restraining and enjoining Defendants and their agents, servants, and employees, and all
11 persons acting thereunder, in concert with, or on their behalf, from infringing the claims
12 of the '422 patent.

13 41. Defendants are not licensed or otherwise authorized to make, use, import,
14 sell, or offer to sell any ink cartridge claimed in the '422 patent, and Defendants'
15 conduct is, in every instance, without Epson's consent.

16 42. On information and belief, Defendants' infringement has been and
17 continues to be willful.

18 **SECOND CLAIM FOR RELIEF**

19 **(Patent Infringement—35 U.S.C. § 271)**

20 **INFRINGEMENT OF U.S. PATENT NO. 8,794,749**

21 43. Epson incorporates by reference each and every allegation contained in
22 Paragraphs 1 through 26 as though fully set forth at length here.

23 44. Epson owns all right, title, and interest in, including the right to sue
24 thereon and the right to recover for infringement thereof, United States Patent No.
25 8,794,749 ("the '749 patent"), which was duly and legally issued to Seiko Epson by the
26 United States Patent and Trademark Office on August 5, 2014. The '749 patent relates
27 generally to ink cartridges for printers. Attached as Exhibit C to this Complaint is a
28 true and correct copy of the '749 patent.

1 45. The '749 patent is valid and enforceable.

2 46. On information and belief after conducting a reasonable investigation,
3 Defendants have infringed and are infringing the '749 patent, as defined by numerous
4 claims of the patent in violation of 35 U.S.C. § 271(a) by making, using, importing,
5 offering to sell, and selling in this judicial district and elsewhere aftermarket ink
6 cartridges and continuous ink supply systems that operate with Epson ink jet printers,
7 including but not limited to ink cartridges having model nos. 200XL, 200XL CISS,
8 220XL CISS, T200XL120, T200XL220, T200XL320, T200XL420, T220XL120,
9 T220XL220, T220XL320, and T220XL420, as well as others that are no more than
10 colorably different from the foregoing (collectively, the "Accused '749 Ink Cartridges").
11 The specific models of Accused '749 Ink Cartridges identified above were obtained by
12 Epson during its investigation leading to this Complaint from Defendants' online
13 listings on their cisinks.com website and storefronts on newegg.com and ebay.com.

14 47. As a non-limiting example, set forth below is a claim chart with a
15 description of Defendants' infringement of exemplary claim 1 of the '749 patent by the
16 Accused '749 Ink Cartridges. The infringement is shown using a representative ink
17 cartridge (Model No. 200XL; Control No. 200352) from among the Accused '749 Ink
18 Cartridges purchased from Defendants that, for infringement analysis purposes, is
19 representative of and represents all of Defendants' ink cartridges within the Accused
20 '749 Ink Cartridges (i.e., the represented ink cartridges), including, but not limited to,
21 the models identified above. The claim chart below refers to this ink cartridge as "the
22 Representative '749 Ink Cartridge." The Representative '749 Ink Cartridge was
23 designed for use in a specific Epson printer, the Epson WorkForce WF-2540 printer
24 ("the Representative '749 Epson Printer"), and for purposes of the analysis set forth
25 herein, the Representative '749 Ink Cartridge was tested in the Representative '749
26 Epson Printer, as discussed in further detail in the claim chart below.

27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

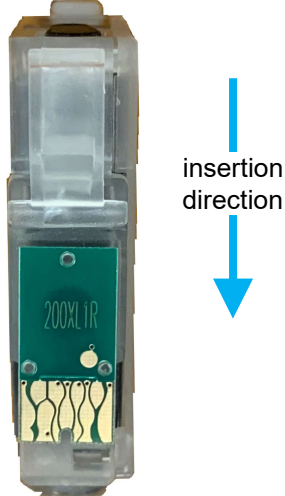
Claim 1 of the '749 Patent	Where found in the Accused '749 Ink Cartridges
<p>[1a] A printing material container adapted to be attached to a printing apparatus by being inserted into the printing apparatus in an insertion direction, the printing apparatus having a print head and a plurality of apparatus-side electrical contact members, the printing material container comprising:</p>	<p>Each of the Accused '749 Ink Cartridges is a printing material container (an ink cartridge) adapted to be attached to an Epson ink jet printing apparatus. Each of the Accused '749 Ink Cartridges is inserted, in an insertion direction, into an Epson ink jet printer. All Epson ink jet printers that accept the Accused '749 Ink Cartridges have a print head and a plurality of printer-side (apparatus-side) electrical contact members.</p> <p>These features are shown below using the Representative '749 Ink Cartridge.</p> <p>The Representative '749 Ink Cartridge is adapted to be attached to the Representative '749 Epson Printer by being inserted in an insertion direction, as shown in the following photographs:</p> <div data-bbox="971 1045 1334 1654" data-label="Image"> </div> <p>The Representative '749 Ink Cartridge</p>

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



The Representative '749 Epson Printer

The following photograph depicts the insertion direction (blue arrow) in which the Representative '749 Ink Cartridge is inserted into the Representative '749 Epson Printer:



The following photograph shows the Representative '749 Ink Cartridge, a black-ink ink cartridge, attached in the Representative '749 Epson Printer after the cartridge has been inserted in the insertion direction (the yellow, magenta, and cyan ink cartridges, which are genuine Epson ink cartridges used to fill the remaining slots of the cartridge holder, can also be seen):

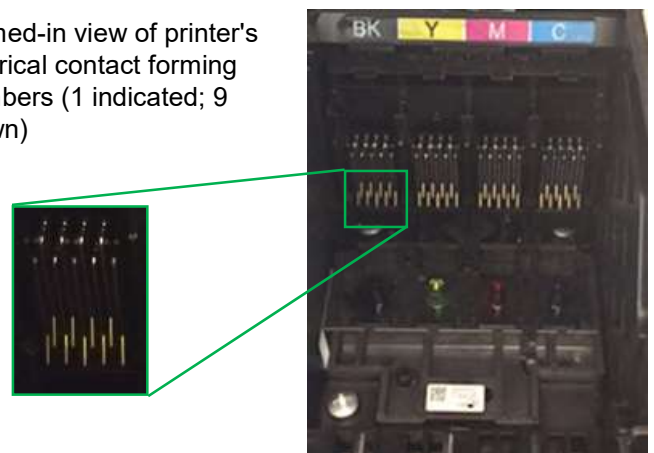
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Representative '749 Ink Cartridge installed in the Representative '749 Epson Printer



The Epson ink jet printers that accept the Accused '749 Ink Cartridges each include a print head for printing and multiple printer-side electrical contact forming members for each ink cartridge accepted by the printer. These features are shown below for the printer's cartridge holder slot that accepts the Representative '749 Ink Cartridge, a black-ink ink cartridge (the printer's electrical contact members for the yellow, magenta, and cyan cartridges can also be seen in the right photo):

zoomed-in view of printer's electrical contact forming members (1 indicated; 9 shown)



Accordingly, the Accused '749 Ink Cartridges literally meet the preamble of claim 1 of the '749 patent.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

[1b] an ink supply opening, having an exit, adapted to supply ink from the ink cartridge to the printing apparatus;

Each of the Accused '749 Ink Cartridges comprises an ink supply opening having an exit. When attached, the ink supply opening of each of the Accused '749 Ink Cartridges is adapted to supply ink from the cartridge to the Epson ink jet printer that accepts the cartridge. The following photograph depicts the exit of the ink supply opening of the Representative '749 Ink Cartridge:



exit of ink supply opening

Accordingly, the Accused '749 Ink Cartridges literally meet this limitation of claim 1 of the '749 patent.

[1c] a low voltage electronic device adapted to receive and function with a low voltage, the low voltage electronic device comprising a memory device;

Each of the Accused '749 Ink Cartridges comprises a low voltage electronic device that comprises a memory device adapted to receive and function with a low voltage. The low voltage electronic device is an integrated circuit ("IC") chip located on the back of a printed circuit board that is mounted on a wall of the ink cartridge, as shown below in the Representative '749 Ink Cartridge:

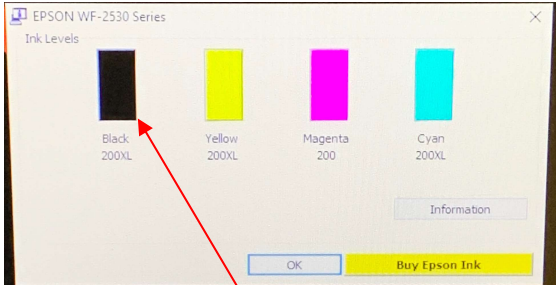


printed circuit board (green) with low voltage electronic device located on back

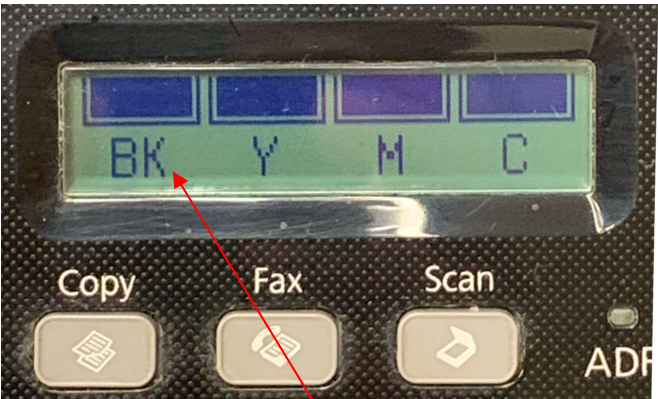
In addition, the presence of a low voltage

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

electronic device (i.e., an IC chip comprising a memory device) is further confirmed through testing demonstrating that the Epson ink jet printers that accept the Accused '749 Ink Cartridges read the remaining ink level and other descriptive information about the ink cartridge from the ink cartridge's memory device, and display that information on the display screen of a connected computer and on the printer's display screen. The following photographs show the display of such information on the computer display screen and the printer's display screen for the Representative '749 Ink Cartridge, containing black ink, attached to the Representative '749 Epson Printer:



memory device shows, on the computer's display screen, the amount of black ink remaining in the Representative '749 Ink Cartridge



memory device shows, on the printer's display screen, the amount of black ink remaining in the Representative '749 Ink Cartridge

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

	<p>All Epson ink jet printers that accept the Accused '749 Ink Cartridges have similar circuitry and programming in terms of the voltages and signals they apply to their contact forming members and, consequently, to the corresponding contact portions of the Accused '749 Ink Cartridges (the contact portions are located on the gold-colored metallic terminals of the ink cartridge shown above). In particular, Epson printers apply a maximum voltage of approximately 4 volts (a low voltage as compared to the high voltage discussed in the next limitation) to certain of their contact forming members that in turn correspond to certain of the contact portions of the Accused '749 Ink Cartridges that are connected to the low voltage electronic device comprising a memory device. Consequently, the low voltage electronic device is adapted to receive and function with a low voltage.</p> <p>Accordingly, the Accused '749 Ink Cartridges literally meet this limitation of claim 1 of the '749 patent.</p>
<p>[1d] a high voltage electronic device adapted to receive and function with a high voltage, which is a higher voltage than the low voltage of the low voltage electronic device; and</p>	<p>Each of the Accused '749 Ink Cartridges comprises a high voltage electronic device that is adapted to receive and function with a voltage that is a higher voltage than the voltage of the low voltage electronic device. The high voltage electronic device may be, for example, a resistor, or one or more other coupled electronic components, that is/are capable of receiving and functioning with a high voltage. The high voltage electronic device is located on the back of a printed circuit board that is mounted on a wall of the ink cartridge, as shown below in the Representative '749 Ink Cartridge:</p>

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



printed circuit board (green) with high voltage electronic device located on back

All Epson ink jet printers that accept the Accused '749 Ink Cartridges have similar circuitry and programming in terms of the voltages and signals they apply to their contact forming members and, consequently, to the corresponding contact portions of the Accused '749 Ink Cartridges (the contact portions are located on the gold terminals of the ink cartridge shown above). In particular, Epson printers apply a voltage of approximately 42 volts (a high voltage as compared to the low voltage of approximately 4 volts applied to the low voltage electronic device discussed in the preceding limitation) to two of their contact forming members that in turn correspond to two of the contact portions of the Accused '749 Ink Cartridges that are connected to the high voltage electronic device. Consequently, the high voltage electronic device is adapted to receive and function with a high voltage.

Accordingly, the Accused '749 Ink Cartridges literally meet this limitation of claim 1 of the '749 patent.

[1e] a plurality of container-side terminals having contact portions adapted and positioned to contact corresponding

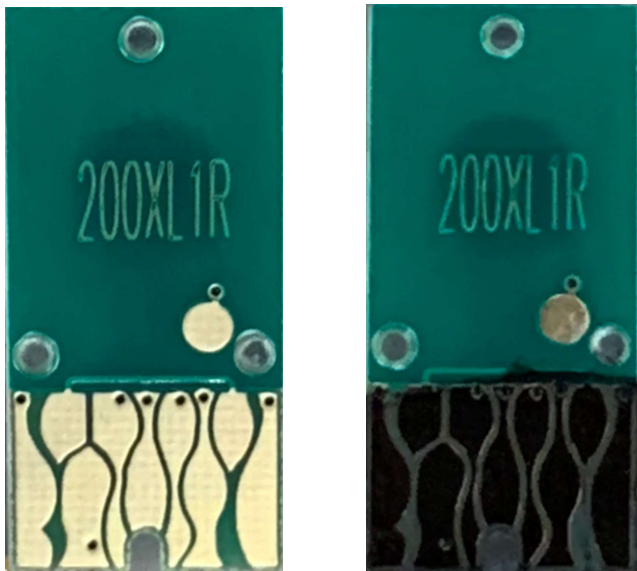
Each of the Accused '749 Ink Cartridges comprises a plurality of container-side terminals that have contact portions. The contact portions are adapted and positioned on the cartridge so that, when the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

apparatus-side contact forming members so that electrical communication is enabled between the container and the printing apparatus, the contact portions of the terminals including a plurality of low voltage electronic device contact portions electrically coupled to the low voltage electronic device, and a first high voltage electronic device contact portion and a second high voltage electronic device contact portion, each electrically coupled to the high voltage electronic device, wherein:

cartridge is attached to the printer, the contact portions of the cartridge's terminals contact corresponding printer-side contact forming members so that electrical communication is enabled between the cartridge and the printer.

As seen with respect to limitation 1c above, the terminals of the Accused '749 Ink Cartridges are the gold colored metallic portions on the green printed circuit board. The contact portions are located on these gold colored metallic portions. To confirm the location and arrangement of the terminals' contact portions, the terminals were marked with black ink, the cartridge was installed in and then removed from the printer (which caused the printers' contact forming members to leave scratch marks on the terminals thereby removing a portion of the black ink that was applied and therefore indicating the location of the contact portions), and the terminals were then photographed. For example, the terminals of the Representative '749 Ink Cartridge before marking with black ink is shown on the left and after marking with black ink is shown on the right:



The resulting marks left by the printer's contact

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

forming members on the terminals show the location and arrangement of the contact portions. These are indicated below with annotated yellow boxes superimposed on the terminals to indicate the location of the contact portions (there are a total of nine contact portions, with four contact portions in a top row and five contact portions in a bottom row):



The contact portions shown above correspond to their printer-side contact forming members so that electrical communication is enabled between the ink cartridge and the printer, e.g., so the printer can read remaining ink level and other information from the memory device as described above with respect to limitation 1c.

The above shown contact portions include a plurality of low voltage electronic device contact portions that are electrically coupled to the low voltage electronic device (specifically, the IC chip comprising a memory device). Each low voltage electronic device contact portion is electrically coupled by the terminal it appears on and by other circuitry to the memory device located on the back of the green printed circuit board. The following

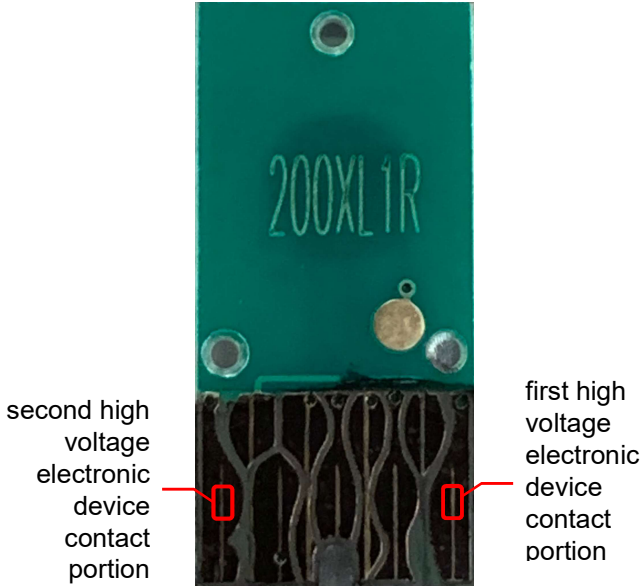
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

photograph of the Representative '749 Ink Cartridge shows the low voltage electronic device contact portions (there are five such low voltage electronic device contact portions, as indicated by superimposed blue boxes):



The contact portions of the Accused '749 Ink Cartridges' terminals also include first and second high voltage electronic device contact portions that are each electrically coupled to the high voltage electronic device discussed above with respect to limitation 1d. Each high voltage electronic device contact portion is electrically coupled by the terminal it appears on and by other circuitry to the high voltage electronic device on the back of the printed circuit board. The following photograph of the Representative '749 Ink Cartridge shows the high voltage electronic device contact portions (there are two such high voltage electronic device contact portions, as indicated by superimposed red boxes):

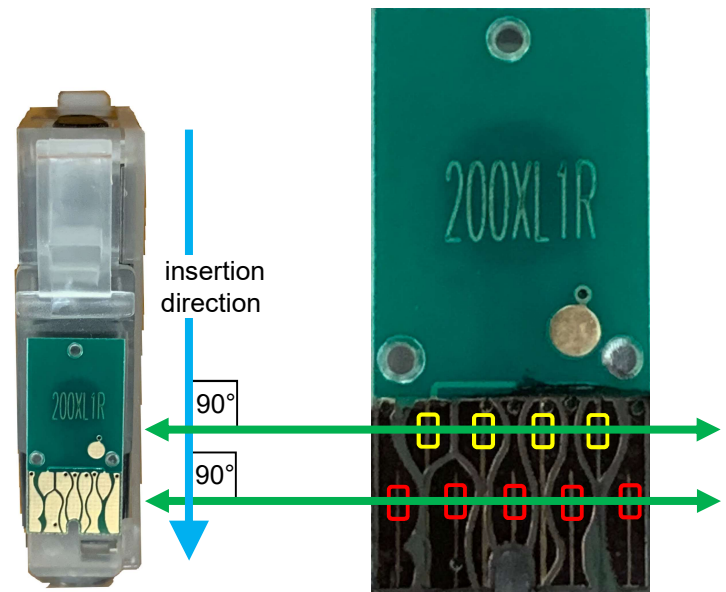
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

	 <p>second high voltage electronic device contact portion</p> <p>first high voltage electronic device contact portion</p> <p>Accordingly, the Accused '749 Ink Cartridges literally meet this limitation of claim 1 of the '749 patent.</p>
--	---

[1f] the contact portions are arranged in a first row of contact portions and in a second row of contact portions, the first row of contact portions and the second row of contact portions extending in a row direction which is generally orthogonal to the insertion direction,

The contact portions of each of the Accused '749 Ink Cartridges are arranged in a first row of contact portions and in a second row of contact portions that both extend in a row direction which is generally orthogonal to the insertion direction. The following photographs of the Representative '749 Ink Cartridge show the first row and second row of contact portions extending in a row direction which is generally orthogonal to the insertion direction in which the Accused '749 Ink Cartridges are inserted into Epson ink jet printers that accept the Accused '749 Ink Cartridges. The right photo shows an enlarged and annotated view of the printed circuit board shown in the left photo.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



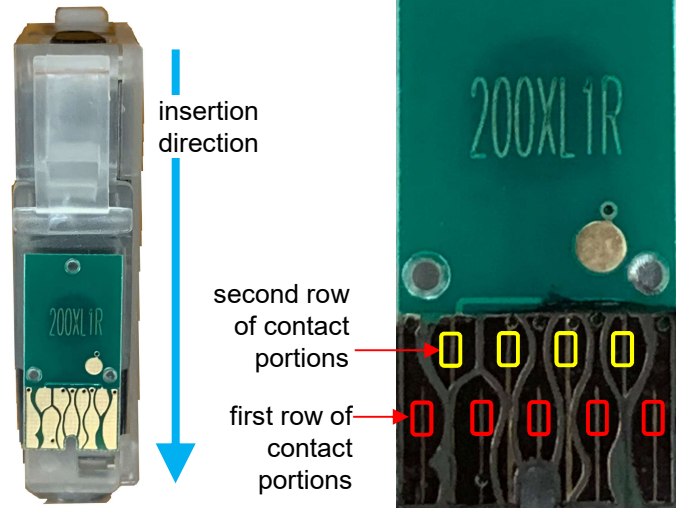
first row of contact portions (red squares) and second row of contact portions (yellow squares), each extending in a row direction (green arrows) orthogonal to cartridge insertion direction (blue arrow)

Accordingly, the Accused '749 Ink Cartridges literally meet this limitation of claim 1 of the '749 patent.

[1g] the first row of contact portions is disposed at a location that is further in the insertion direction than the second row of contact portions, and,

In each of the Accused '749 Ink Cartridges, the first row of contact portions is disposed at a location that is further in the insertion direction than the second row of contact portions. The following photographs of the Representative '749 Ink Cartridge show the first row of contact portions (red boxes) disposed at a location that is further in the cartridge insertion direction than the second row of contact portions (yellow boxes) (i.e., the first row is deeper in the printer than the second row).

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



first row of contact portions (red squares) disposed further in insertion direction (blue arrow) than second row of contact portions (yellow squares)

Accordingly, the Accused '749 Ink Cartridges literally meet this limitation of claim 1 of the '749 patent.

[1h] the first row of contact portions has a first end position and a second end position at opposite ends thereof, the first high voltage electronic device contact portion is disposed at the first end position of the first row of contact portions and the second high voltage electronic device contact portion is disposed at the second end position of the first row of contact portions.

In each of the Accused '749 Ink Cartridges, the first row of contact portions has a first end position and a second end position at opposite ends thereof, the first high voltage electronic device contact portion is disposed at the first end position of the first row of contact portions, and the second high voltage electronic device contact portion is disposed at the second end position of the first row of contact portions.

The following photograph of the Representative '749 Ink Cartridge shows the first and second high voltage contact portions disposed, respectively, at the first and second end positions at opposite ends of the first row of contact portions.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

second high voltage electronic device contact portion disposed at second end position of first row of contact portions

first high voltage electronic device contact portion disposed at first end position of first row of contact portions

Accordingly, the Accused '749 Ink Cartridges literally meet this limitation of claim 1 of the '749 patent.

48. As explained in paragraph 47, the infringement analysis set forth in the above claim chart is shown with respect to one representative cartridge, namely, Representative '749 Ink Cartridge (Model No. 200XL; Control No. 200352). However, from a patent infringement analysis perspective, the infringement analysis applies in exactly the same way to all represented ink cartridges. This includes all of the models identified in paragraph 46 that Epson obtained from Defendants, as well as any other models that are no more than colorably different from the models identified in paragraph 46. Specifically, this also includes products described as "continuous ink supply systems," such as Model No. 200XL CISS (Control No. 200546), identified in paragraph 46. Such continuous ink supply system products may be comprised of an individual color "cartridge" or multiple color "cartridges" that are formed integrally, as is the case with Model No. 200XL CISS (Control No. 200546). In either case, such continuous ink supply system products infringe the '749 patent in exactly the same way as set forth in the above claim chart because these products have all of the elements that

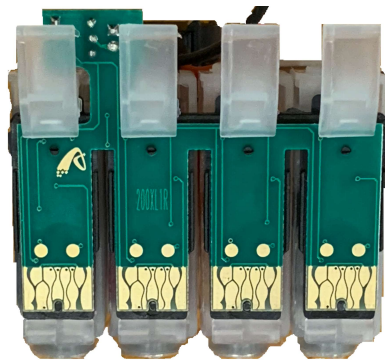
1 meet all of the limitations of the various claims of the '749 patent, for example, claim 1
2 shown in the above claim chart. Images of Defendants' Model No. 200 XL CISS
3 (Control No. 200546) continuous ink supply system product are shown below and are
4 specifically accused of infringement herein as set forth in the above claim chart.



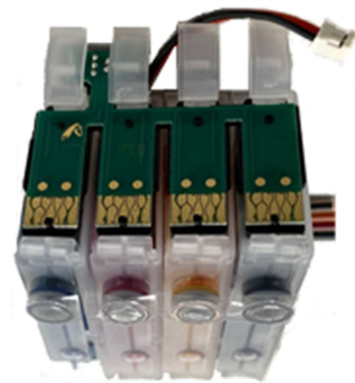
Perspective view



Defendants' Model No. 200XL CISS product installed in the Representative '116 Epson Printer



View showing circuit boards



View showing ink supply openings

23 49. On information and belief after conducting a reasonable investigation,
24 Defendants have and are actively, knowingly and intentionally aiding and abetting and
25 inducing infringement of the '749 patent in violation of 35 U.S.C. § 271(b) by non-
26 parties, including end-users, despite Defendants' knowledge of the '749 patent.
27

28

1 50. On information and belief, defendants Sher Li, President and CEO of
2 defendant Audoormatics, and Ivy Chen, CFO and Secretary of Audoormatics, direct
3 and control the infringing activities of defendant Audoormatics and have taken and
4 continue to take active steps to encourage and induce defendant Audoormatics to
5 infringe by actively running and directing the businesses, including but not limited to
6 being the principal decision makers regarding the promotion, advertising, and sale of
7 products that infringe the '749 patent on Defendants' website and storefronts on internet
8 marketplaces, including ebay.com, and newegg.com discussed above in paragraphs 11-
9 25.

10 51. On information and belief, defendants Sher Li, CEO and Secretary of
11 defendant Lee's Collection, and Ri Hua Li, CFO of Lee's Collection, direct and control
12 the infringing activities of defendant Lee's Collection and have taken and continue to
13 take active steps to encourage and induce defendant Lee's Collection to infringe by
14 actively running and directing the businesses, including but not limited to being the
15 principal decision makers regarding the promotion, advertising, and sale of products
16 that infringe the '749 patent on Defendants' website and storefronts on internet
17 marketplaces, including ebay.com, and newegg.com discussed above in paragraphs 11-
18 25.

19 52. On information and belief, Defendants had knowledge of the '749 patent
20 prior to, or at least since the filing and service of this complaint on Defendants.

21 53. On information and belief, Defendants are contributing to the infringement
22 of the '749 patent in violation of 35 U.S.C. § 271(c) by non-parties by offering to sell or
23 selling within the United States or importing into the United States components of the
24 patented inventions set forth in the '749 patent. The components constitute a material
25 part of the inventions. Defendants know that such components are especially made or
26 especially adapted for use in an infringement of the '749 patent. The components are
27 not a staple article or commodity of commerce suitable for substantial noninfringing
28 use.

1 offering to sell, and selling in this judicial district and elsewhere aftermarket ink
 2 cartridges and continuous ink supply systems that operate with Epson ink jet printers,
 3 including but not limited to replacement cartridge chips and ink cartridges having
 4 model nos. 200XL, 200XL CISS, 220XL CISS, T200XL120, T200XL220,
 5 T200XL320, T200XL420, T220XL120, T220XL220, T220XL320, and T220XL420, as
 6 well as others that are no more than colorably different from the foregoing (collectively,
 7 the "Accused '116 Ink Cartridges"). The specific models of Accused '116 Ink
 8 Cartridges and replacement cartridge chips identified above were obtained by Epson
 9 during its investigation leading to this Complaint from Defendants' online listings on
 10 their cisinks.com website and storefronts on newegg.com and ebay.com.

11 62. As a non-limiting example, set forth below is a claim chart with a
 12 description of Defendants' infringement of claim 18 of the '116 patent by the Accused
 13 '116 Ink Cartridges. The infringement is shown using a representative ink cartridge
 14 (Model No. 200XL; Control No. 200352) from among the Accused '116 Ink Cartridges
 15 purchased from Defendants that, for infringement analysis purposes, is representative of
 16 and represents all of Defendants' ink cartridges within the Accused '116 Ink Cartridges
 17 (i.e., the represented ink cartridges), including, but not limited to, the models identified
 18 above. The claim chart below refers to this ink cartridge as "the Representative '116
 19 Ink Cartridge." The Representative '116 Ink Cartridge was designed for use in a
 20 specific Epson printer, the Epson WorkForce WF-2540 printer ("the Representative
 21 '116 Epson Printer"), and for purposes of the analysis set forth herein, the
 22 Representative '116 Ink Cartridge was tested in the Representative '116 Epson Printer,
 23 as discussed in further detail in the claim chart below.

Claim 18 of the '116 patent	Where found in the Accused '116 Ink Cartridges
[18a]. A circuit board mountable on a printing material container that is used in an ink jet printing apparatus, the ink jet printing apparatus	A circuit board is mounted on the Representative '116 Ink Cartridge (model no. 200XL; control no. 200352), which itself includes a printing material container and is used in an Epson ink jet printing apparatus

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

having a print head and a plurality of apparatus-side contact forming members, the printing material container having a body and an ink supply opening, the ink supply opening having an exit on an exterior portion of the body and being adapted to supply ink from the printing material container to the printing apparatus, the circuit board comprising:

(e.g., the Representative '116 Epson Printer) having a print head and a plurality of apparatus-side contact forming members.

The Representative '116 Ink Cartridge has a body and an ink supply opening having an exit on an exterior portion of the body and being adapted to supply ink from the Representative '116 Ink Cartridge to the Epson ink jet printing apparatus.

The Representative '116 Ink Cartridge is a printing material container with a mounted circuit board.

The following photos depict the circuit board (green with gold-colored metallic terminals) mounted on the Representative '116 Ink Cartridge containing black ink.



The Representative '116 Ink Cartridge is used in any of the following Epson ink jet printer (printing apparatus) models: Epson Expression Home XP-200, XP-300, XP-310, XP-400, XP-410, WorkForce WF-2010F, WF-2010W, WF-2510WF, WF-2520, WF-2520NF, WF-2530, WF-2530WF, WF-2540, and WF-2540WF (the "Epson Ink Jet Printers").

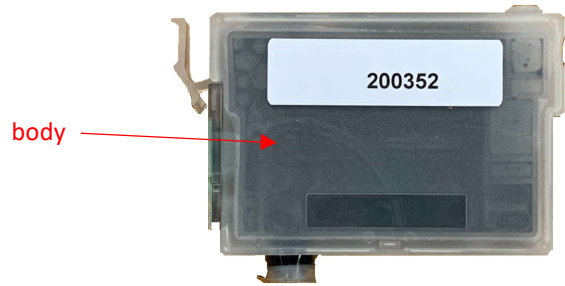
The following photo depicts the Epson WorkForce WF-2540 ink jet printer.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



The Epson Ink Jet Printers each include a print head for printing and multiple printer-side contact forming members.

The Representative '116 Ink Cartridge has a body, as depicted below.



The Representative '116 Ink Cartridge has an ink supply opening having an exit on an exterior portion of the body. When mounted, the ink supply opening is adapted to supply ink from the printing material container (i.e., the cartridge) to the Epson Ink Jet Printers.

The following photo depicts the exit of the Representative '116 Ink Cartridge's ink supply opening.



exit of ink supply opening (shown here with anti-leak film undisturbed and in place)

Accordingly, the Representative '116 Ink Cartridge literally meets the preamble of claim 18 of the '116 patent.

[18b] a memory device adapted to be driven by a

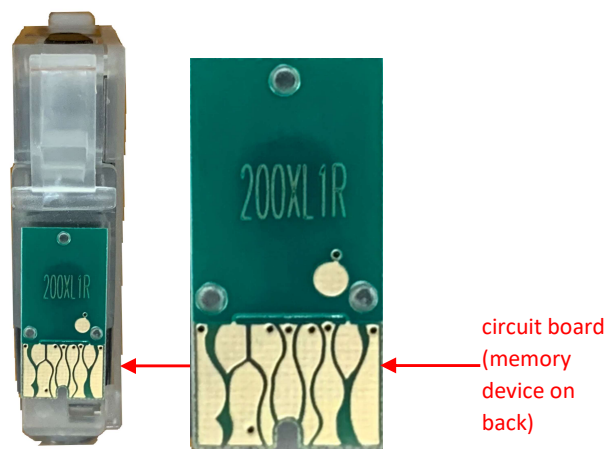
The circuit board mounted on the Representative '116 Ink Cartridge comprises a

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

memory driving voltage;

memory device that is adapted to be driven by a memory driving voltage.

The following photo depicts the circuit board (green with gold-colored metallic terminals) mounted on the Representative '116 Ink Cartridge. The memory device is located on the back of the circuit board and is not visible in this view.



All Epson ink jet printers that accept the Representative '116 Ink Cartridge have similar circuitry and programming in terms of the voltages and signals they apply to their contact forming members and, consequently, to the corresponding contact portions of the Representative '116 Ink Cartridge (the contact portions are located on the gold-colored metallic terminals of the ink cartridge shown above). In particular, Epson printers apply a maximum voltage of approximately 4 volts (a low voltage as compared to the high voltage discussed in the next limitation) to certain of their contact forming members that in turn correspond to certain of the contact portions of the Representative '116 Ink Cartridge that are connected to the memory. Consequently, the memory device is adapted to be driven by a memory driving voltage. This was confirmed

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

	<p>through testing during the ITC 946 Investigation.</p> <p>Accordingly, the Representative '116 Ink Cartridge literally meets this limitation of claim 18 of the '116 patent.</p>
<p>[18c] an electronic device adapted to receive a voltage higher than the memory driving voltage; and</p>	<p>The circuit board mounted on the Representative '116 Ink Cartridge comprises an electronic device that is adapted to receive a voltage that is a higher voltage than the voltage of the memory device. The electronic device that receives a higher voltage may be, for example, a resistor, or one or more other coupled electronic components, that is/are capable of receiving a high voltage. The electronic device is located on the back of a printed circuit board that is mounted on a wall of the Representative '116 Ink Cartridge shown in the above limitation.</p> <p>Moreover, all Epson ink jet printers that accept the Representative '116 Ink Cartridge have similar circuitry and programming in terms of the voltages and signals they apply to their contact forming members and, consequently, to the corresponding contact portions of the circuit board mounted on the Representative '116 Ink Cartridge (the contact portions are located on the gold terminals of circuit board mounted on the ink cartridge shown above). In particular, Epson printers apply a voltage of approximately 42 volts (a high voltage as compared to the low voltage of approximately 4 volts applied to the memory device discussed in the preceding limitation) to two of their contact forming members that in turn correspond to two of the contact portions of the circuit board mounted on the Representative '116 Ink Cartridge that are connected to the electronic device. Consequently, the electronic</p>

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

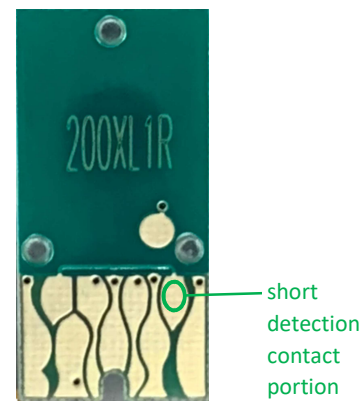
device is adapted to receive and function with a high voltage. This was confirmed through testing during the ITC 946 Investigation.

Accordingly, the Representative '116 Ink Cartridge literally meets this limitation of claim 18 of the '116 patent.

[18d] a plurality of terminals having contact portions adapted and positioned to contact corresponding apparatus-side contact forming members so that electrical communication is enabled with the ink jet printing apparatus, the contact portions of the terminals including a plurality of memory contact portions electrically coupled to the memory device, a first electronic device contact portion electrically coupled to the electronic device, a second electronic device contact portion electrically coupled to the electronic device, and a short detection contact portion positioned and arranged to electrically contact a contact forming member that itself is electrically coupled to a short detection circuit of the printing apparatus, wherein:

The circuit board mounted on the Representative '116 Ink Cartridge comprises a plurality of terminals that have contact portions. The contact portions are adapted and positioned on the cartridge so that, when the cartridge is mounted on the printer, the contact portions of the cartridge's terminals contact corresponding printer-side contact forming members so that electrical communication is enabled with the printer.

As discussed at 18(a) and 18(b) *supra*, the terminals of the Representative '116 Ink Cartridge's circuit board are the gold colored metallic portions on the green circuit board, reproduced in enlarged form below.



To determine the precise location of the terminals' contact portions, the following steps were taken: (1) using a marker, black ink was applied to the terminals and the terminal arrangement photographed; (2) the Representative '116 Ink Cartridge was installed

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

in and removed from the printer; and (3) the terminal arrangement was photographed. The following photo shows the terminals after the application of black ink with a marker.



The step of installing and removing the cartridge from the printer, causes the printer's contact forming members (discussed at 18(a), *supra*) to leave scratch marks on the terminals thereby removing a portion of the black ink that was applied with the marker. The following photo shows the terminals after the cartridge was installed and removed from the printer.

The contact portions of the circuit board's terminals are the most pronounced portions of the scratch marks (all of which contact corresponding printer-side contact forming members so that electrical communication is enabled with the printer, e.g., so that the printer can read remaining ink level and other information from the memory device as described in 18(b), *supra*). The following annotated photo shows the location of the contact portions annotated by red circles.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



The contact portions of the circuit board's terminals include a plurality of memory contact portions that are electrically coupled to the memory device. Each memory contact portion is electrically coupled by the terminal it appears on to a "via," which is a through-hole (through the circuit board) that electrically couples the terminal to wiring on the back of the circuit board. The wiring on the back of the circuit board electrically couples the via (and, therefore, the contact portion of the terminal) to an electrical lead of the IC chip containing the memory device mounted on the back of the circuit board. In combination, these components electrically couple the memory contact portion to the memory device.

The following annotated photo depicts the five memory contact portions (in blue) located on the terminals on the front of the circuit board.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

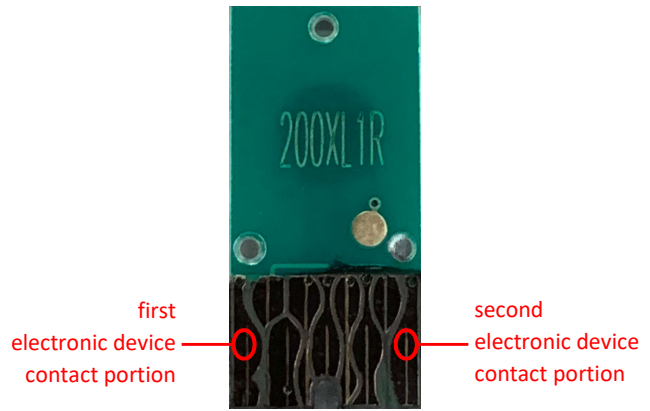


memory contact portions

The contact portions of the circuit board's terminals include a first and second electronic device contact portion that are each electrically coupled to the electronic device (specifically, the resistor). Each electronic device contact portion is electrically coupled by the terminal it appears on to a via that electrically couples the terminal to wiring located on the back of the circuit board. The wiring on the back of the circuit board electrically couples the via (and, therefore, the contact portion of the terminal) to an electrical lead of the resistor mounted on the back of the circuit board. In combination, these components electrically couple the first and second electronic device contact portions to the resistor.

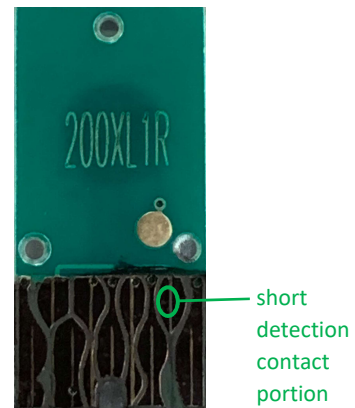
The following annotated photo depicts the first and second electronic device contact portions (in red) located on the terminals on the front of the circuit board.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



The contact portions of the circuit board's terminals include a short detection contact portion that is positioned and arranged to electrically contact a contact forming member of the Epson Ink Jet Printers that is itself electrically coupled to a short detection circuit of the printers.

The following photo depicts the short detection contact portion (in green).



Moreover, all Epson ink jet printers that accept the Representative '116 Ink Cartridge have similar circuitry and programming in terms of the operation of the short detection contact portion. In particular, when the printers are operated while the short detection contact portion is electrically shorted to the second electronic device contact portion, the printers stop the receipt of the voltage higher than the

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

	<p>memory driving voltage by the second electronic device contact portion, and display an error message to the user on the display screen of a connected computer and on the printer display screen (if the printer has a display screen). This was confirmed through testing during the ITC 946 Investigation.</p> <p>Accordingly, the Representative '116 Ink Cartridge literally meets this limitation of claim 18 of the '116 patent.</p>
<p>[18e] the contact portions are arranged so that, when the terminal arrangement is viewed from the vantage of the contact forming members, with the terminals oriented as if in contact with the contact forming members so that electrical communication is enabled with the ink jet printing apparatus, and with the ink cartridge oriented with the exit of the ink supply opening facing downwards, the contact portion farthest to the left is the first electronic device contact portion, the contact portion that is farthest to the right is the second electronic device contact portion, the contact portion that is second farthest to the right is the short detection contact portion, and the memory contact portions are located to the left of the short detection contact portion and to the right of the first electronic device contact portion.</p>	<p>The contact portions of the Representative '116 Ink Cartridge's circuit board are arranged so that, when the terminal arrangement is viewed from the vantage of the printer's contact forming members, with the terminals oriented as if in contact with the contact forming members so that electrical communication is enabled with the printer, and with the ink cartridge oriented so that the exit of the ink supply opening faces downwards, then the contact portion farthest to the left is the first electronic device contact portion, the contact portion that is farthest to the right is the second electronic device contact portion, the contact portion that is second farthest to the right is a short detection contact portion, and the memory contact portions are located to the left of the short detection contact portion and to the right of the first electronic device contact portion.</p> <p>The following photo depicts the terminal arrangement when it is viewed from the vantage of the printer's contact forming members, with the terminals oriented as if in contact with the contact forming members so that electrical communication is enabled with the printer, and with the ink cartridge oriented so that the exit of the ink supply opening faces</p>

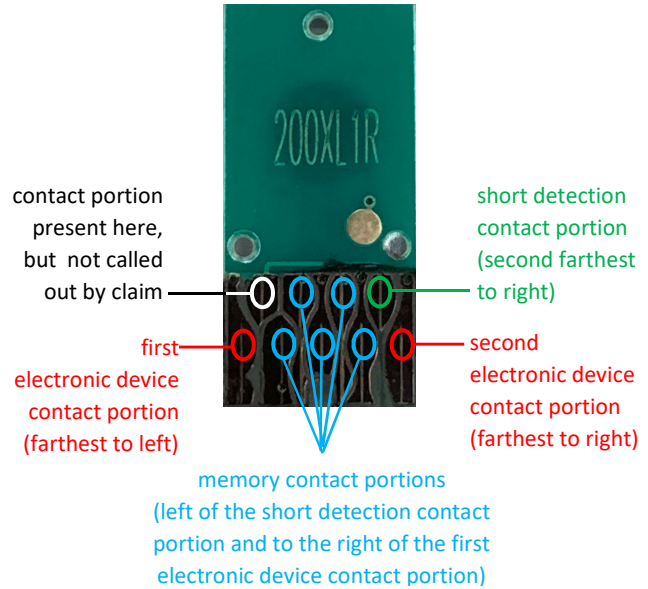
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

downwards.



terminal arrangement viewed from vantage of printer's contact forming members . . . with the exit of the ink supply opening facing downwards

The following photo depicts the arrangement of the contact portions when the terminal arrangement is viewed as described above.



Accordingly, the Representative '116 Ink Cartridge literally meets this limitation of claim 18 of the '116 patent.

1 63. As explained in paragraph 62, the infringement analysis set forth in the
 2 above claim chart is shown with respect to one representative cartridge, namely,
 3 Representative '116 Ink Cartridge (Model No. 200XL; Control No. 200352). However,
 4 from a patent infringement analysis perspective, the infringement analysis applies in
 5 exactly the same way to all represented ink cartridges. This includes all of the models
 6 identified in paragraph 61 that Epson obtained from Defendants, as well as any other
 7 models that are no more than colorably different from the models identified in
 8 paragraph 61. Specifically, this also includes products described as "continuous ink
 9 supply systems," such as Model No. 200XL CISS (Control No. 200546), identified in
 10 paragraph 61. Such continuous ink supply system products may be comprised of an
 11 individual color "cartridge" or multiple color "cartridges" that are formed integrally, as
 12 is the case with Model No. 200XL CISS (Control No. 200546). In either case, such
 13 continuous ink supply system products infringe the '116 patent in exactly the same way
 14 as set forth in the above claim chart because these products have all of the elements that
 15 meet all of the limitations of the various claims of the '116 patent, for example, claim
 16 18 shown in the above claim chart. Images of Defendants' Model No. 200 XL CISS
 17 (Control No. 200546) continuous ink supply system product are shown below and are
 18 specifically accused of infringement herein as set forth in the above claim chart.

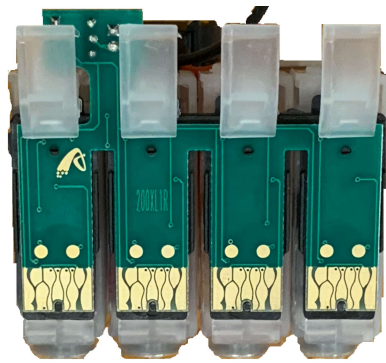


28 Perspective view

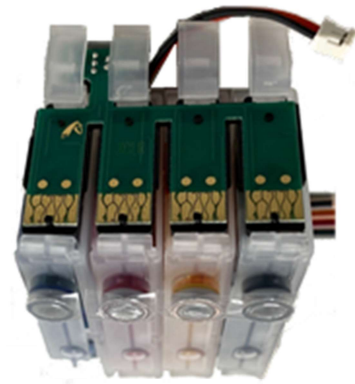


Defendants' Model No. 200XL CISS product
 installed in the Representative '116 Epson Printer

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28



View showing circuit boards



View showing ink supply openings

64. On information and belief after conducting a reasonable investigation, Defendants have and are actively, knowingly and intentionally aiding and abetting and inducing infringement of the '116 patent in violation of 35 U.S.C. § 271(b) by non-parties, including end-users, despite Defendants' knowledge of the '116 patent.

65. On information and belief, defendants Sher Li, President and CEO of defendant Audoormatics, and Ivy Chen, CFO and Secretary of Audoormatics, direct and control the infringing activities of defendant Audoormatics and have taken and continue to take active steps to encourage and induce defendant Audoormatics to infringe by actively running and directing the businesses, including but not limited to being the principal decision makers regarding the promotion, advertising, and sale of products that infringe the '116 patent on Defendants' website and storefronts on internet marketplaces, including ebay.com, and newegg.com discussed above in paragraphs 11-25.

66. On information and belief, defendants Sher Li, CEO and Secretary of defendant Lee's Collection, and Ri Hua Li, CFO of Lee's Collection, direct and control the infringing activities of defendant Lee's Collection and have taken and continue to take active steps to encourage and induce defendant Lee's Collection to infringe by actively running and directing the businesses, including but not limited to being the principal decision makers regarding the promotion, advertising, and sale of products

1 that infringe the '116 patent on Defendants' website and storefronts on internet
2 marketplaces, including ebay.com, and newegg.com discussed above in paragraphs 11-
3 25.

4 67. On information and belief, Defendants had knowledge of the '116 patent
5 prior to, or at least since the filing and service of this complaint on Defendants.

6 68. On information and belief, Defendants are contributing to the infringement
7 of the '116 patent in violation of 35 U.S.C. § 271(c) by non-parties by offering to sell or
8 selling within the United States or importing into the United States components of the
9 patented inventions set forth in the '116 patent. The components constitute a material
10 part of the inventions. Defendants know that such components are especially made or
11 especially adapted for use in an infringement of the '116 patent. The components are
12 not a staple article or commodity of commerce suitable for substantial noninfringing
13 use.

14 69. By reason of Defendants' infringing activities, Epson has suffered, and will
15 continue to suffer, substantial damages in an amount to be proven at trial.

16 70. Defendants' acts complained of herein have damaged and will continue to
17 damage Epson irreparably. Epson has no adequate remedy at law for these wrongs and
18 injuries. Epson is therefore entitled to a preliminary and permanent injunction
19 restraining and enjoining Defendants and their agents, servants, and employees, and all
20 persons acting thereunder, in concert with, or on their behalf, from infringing the claims
21 of the '116 patent.

22 71. Defendants are not licensed or otherwise authorized to make, use, import,
23 sell, or offer to sell any ink cartridge claimed in the '116 patent, and Defendants'
24 conduct is, in every instance, without Epson's consent.

25 72. On information and belief, Defendants' infringement has been and
26 continues to be willful.

27 **PRAYER FOR RELIEF**

28 WHEREFORE, Epson prays for judgment against Defendants as follows:

1 DATED: December 9, 2020

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

By /s/ Tigran Guledjian

Tigran Guledjian
California Bar No. 207613
tigranguledjian@quinnemanuel.com
Richard H. Doss
California Bar No. 204078
richarddoss@quinnemanuel.com
Quinn Emanuel Urquhart & Sullivan, LLP
865 South Figueroa Street, 10th Floor
Los Angeles, CA 90017
Telephone: (213) 443-3000

*Attorneys for Plaintiffs Seiko Epson
Corporation, Epson America, Inc., and
Epson Portland Inc.*