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5 *Attorneys for Plaintiff Canon Inc.*  
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8 **UNITED STATES DISTRICT COURT**  
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

10 CANON INC., a Japanese corporation,  
11 Plaintiff,  
12 v.  
13 SUN DATA SUPPLY, INC., a  
14 California corporation,  
15 Defendant.

Case No. 2:21-cv-2075

**PLAINTIFF CANON INC.'S  
COMPLAINT FOR PATENT  
INFRINGEMENT**

**JURY TRIAL DEMANDED**

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2049 CENTURY PARK EAST, SUITE 2300  
LOS ANGELES, CA 90067  
310-229-9900

1 Plaintiff Canon Inc. (“Canon”) brings this action for patent infringement  
2 against Defendant Sun Data Supply, Inc. (“Defendant”), and alleges as follows:

3 **Related Actions**

4 1. This action is related to an action being concurrently filed in the U.S.  
5 International Trade Commission, *In the Matter of Certain Toner Supply Containers*  
6 *and Components Thereof* (the “ITC Proceeding”), in that (a) Canon is a  
7 complainant in the ITC Proceeding; (b) Defendant is a named respondent, among  
8 other named respondents, in the ITC Proceeding; (c) Canon is asserting the same  
9 patents against Defendant both here and in the ITC Proceeding; and (d) this action  
10 and the ITC Proceeding involve the same accused products of Defendant. Canon  
11 is concurrently filing similar complaints in this and in other district courts against  
12 the other named respondents in the ITC Proceeding.

13 **The Parties**

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

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

20 4. On information and belief, Sun Data Supply, Inc. is a corporation  
21 organized and existing under the laws of the State of California, with its principal  
22 place of business located at 3250 Wilshire Blvd., Suite 1620, Los Angeles,  
23 California 90010.

24 5. On information and belief, Defendant conducts activities via the  
25 internet at least as *sundatasupply.com*.

26 **Jurisdiction and Venue**

27 6. This is an action for patent infringement arising under the patent laws  
28 of the United States, Title 35 of the United States Code. This Court has subject

1 matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

2 7. This Court has personal jurisdiction over Defendant because its  
3 principal place of business is located in this judicial district, and because it has,  
4 directly or through intermediaries, committed acts within California giving rise to  
5 this action and/or has established minimum contacts with California such that the  
6 exercise of jurisdiction would not offend traditional notions of fair play and  
7 substantial justice.

8 8. Venue is proper under 28 U.S.C. § 1400(b). Defendant is organized  
9 in, and thus resides in, the State of California and this judicial district. Defendant  
10 also has committed infringing acts in this judicial district and has a regular and  
11 established place of business in this judicial district.

12 **Canon's Patents-in-Suit**

13 9. On February 19, 2019, U.S. Patent No. 10,209,667 (the “667  
14 patent”), titled “Developer Supply Container and Developer Supplying System,”  
15 duly and legally issued to Canon as assignee of the inventors, Manabu Jimba,  
16 Ayatomo Okino, Katsuya Murakami, Toshiaki Nagashima, and Fumio Tazawa.

17 10. On May 14, 2019, U.S. Patent No. 10,289,060 (the “060 patent”),  
18 titled “Developer Supply Container and Developer Supplying System,” duly and  
19 legally issued to Canon as assignee of the inventors, Manabu Jimba, Ayatomo  
20 Okino, Katsuya Murakami, Toshiaki Nagashima, and Fumio Tazawa.

21 11. On May 14, 2019, U.S. Patent No. 10,289,061 (the “061 patent”),  
22 titled “Developer Supply Container and Developer Supplying System,” duly and  
23 legally issued to Canon as assignee of the inventors, Manabu Jimba, Ayatomo  
24 Okino, Katsuya Murakami, Toshiaki Nagashima, and Fumio Tazawa.

25 12. On May 21, 2019, U.S. Patent No. 10,295,957 (the “957 patent”),  
26 titled “Developer Supply Container and Developer Supplying System,” duly and  
27 legally issued to Canon as assignee of the inventors, Manabu Jimba, Ayatomo  
28 Okino, Katsuya Murakami, Toshiaki Nagashima, and Fumio Tazawa.

1           13. On November 26, 2019, U.S. Patent No. 10,488,814 (the “’814  
2 patent”), titled “Developer Supply Container and Developer Supplying System,”  
3 duly and legally issued to Canon as assignee of the inventors, Manabu Jimba,  
4 Ayatomo Okino, Katsuya Murakami, Toshiaki Nagashima, and Fumio Tazawa.

5           14. On December 3, 2019, U.S. Patent No. 10,496,032 (the “’032  
6 patent”), titled “Developer Supply Container and Developer Supplying System,”  
7 duly and legally issued to Canon as assignee of the inventors, Manabu Jimba,  
8 Ayatomo Okino, Katsuya Murakami, Toshiaki Nagashima, and Fumio Tazawa.

9           15. On December 3, 2019, U.S. Patent No. 10,496,033 (the “’033  
10 patent”), titled “Developer Supply Container and Developer Supplying System,”  
11 duly and legally issued to Canon as assignee of the inventors, Manabu Jimba,  
12 Ayatomo Okino, Katsuya Murakami, Toshiaki Nagashima, and Fumio Tazawa.

13           16. On December 24, 2019, U.S. Patent No. 10,514,654 (the “’654  
14 patent”), titled “Developer Supply Container and Developer Supplying System,”  
15 duly and legally issued to Canon as assignee of the inventors, Manabu Jimba,  
16 Ayatomo Okino, Katsuya Murakami, Toshiaki Nagashima, and Fumio Tazawa.

17           17. On December 31, 2019, U.S. Patent No. 10,520,881 (the “’881  
18 patent”), titled “Developer Supply Container and Developer Supplying System,”  
19 duly and legally issued to Canon as assignee of the inventors, Manabu Jimba,  
20 Ayatomo Okino, Katsuya Murakami, Toshiaki Nagashima, and Fumio Tazawa.

21           18. On December 31, 2019, U.S. Patent No. 10,520,882 (the “’882  
22 patent”), titled “Developer Supply Container and Developer Supplying System,”  
23 duly and legally issued to Canon as assignee of the inventors, Manabu Jimba,  
24 Ayatomo Okino, Katsuya Murakami, Toshiaki Nagashima, and Fumio Tazawa.

25           19. Canon is the sole owner of the entire right, title, and interest in and to  
26 the ’667, ’060, ’061, ’957, ’814, ’032, ’033, ’654, ’881, and ’882 patents  
27 (collectively, “Asserted Patents”), including the right to sue and recover for any  
28 and all infringements thereof.

20. The Asserted Patents are valid and enforceable.

**Defendant's Infringing Activities**

21. On information and belief, Defendant is engaged in the business of selling and/or offering to sell within the United States and/or importing into the United States toner supply containers (hereinafter, "Accused Products") for use in one or more Canon copy machines, including but not limited to the copy machines listed in the table below, which toner supply containers are covered by one or more claims of each of the Asserted Patents.

| Canon Copiers  | Canon Toner Supply Containers |
|--|-------------------------------|
| Canon imageRUNNER® Advance C250iF                        | GPR-51                        |
| Canon imageRUNNER® Advance C255iF                        | GPR-51                        |
| Canon imageRUNNER® Advance C350P, C350iF                 | GPR-51                        |
| Canon imageRUNNER® Advance C355iF                        | GPR-51                        |
| Canon imageRUNNER® C1325iF                               | GPR-52                        |
| Canon imageRUNNER® C1335iF                               | GPR-52                        |
| Canon imageRUNNER® C3025i, C3125i                        | GPR-53                        |
| Canon imageRUNNER® Advance C3325i                        | GPR-53                        |
| Canon imageRUNNER® Advance C3330i                        | GPR-53                        |
| Canon imageRUNNER® Advance C3525i, C3525i II, C3525i III | GPR-53                        |
| Canon imageRUNNER® Advance C3530i, C3530i II, C3530i III | GPR-53                        |
| Canon imageRUNNER® Advance DX C3725i                     | GPR-53/GPR-53L                |
| Canon imageRUNNER® Advance DX C3730i                     | GPR-53/GPR-53L                |
| Canon imageRUNNER® Advance C5535i, C5535i II, C5535i III | GPR-55/GPR-55L                |
| Canon imageRUNNER® Advance C5540i, C5540i II, C5540i III | GPR-55/GPR-55L                |
| Canon imageRUNNER® Advance C5550i, C5550i II, C5550i III | GPR-55/GPR-55L                |

|    |  |                |
|----|--|----------------|
| 1  | Canon imageRUNNER® Advance C5560i, C5560i II, C5560i III | GPR-55/GPR-55L |
| 2  | Canon imageRUNNER® Advance DX C5735i                     | GPR-55/GPR-55L |
| 3  | Canon imageRUNNER® Advance DX C5740i                     | GPR-55/GPR-55L |
| 4  | Canon imageRUNNER® Advance DX C5750i                     | GPR-55/GPR-55L |
| 5  | Canon imageRUNNER® Advance DX C5760i                     | GPR-55/GPR-55L |
| 6  | Canon imageRUNNER® Advance 4525i, 4525i II, 4525i III    | GPR-57         |
| 7  |  |                |
| 8  | Canon imageRUNNER® Advance 4535i, 4535i II, 4535i III    | GPR-57         |
| 9  |  |                |
| 10 | Canon imageRUNNER® Advance 4545i, 4545i II, 4545i III    | GPR-57         |
| 11 |  |                |
| 12 | Canon imageRUNNER® Advance 4551i, 4551i II, 4551i III    | GPR-57         |
| 13 |  |                |
| 14 | Canon imageRUNNER® Advance DX4725i                       | GPR-57         |
| 15 | Canon imageRUNNER® Advance DX4735i                       | GPR-57         |
| 16 | Canon imageRUNNER® Advance DX4745i                       | GPR-57         |
| 17 | Canon imageRUNNER® Advance DX4751i                       | GPR-57         |
| 18 | Canon imageRUNNER® Advance C256iF II, C256iF III         | GPR-58         |
| 19 | Canon imageRUNNER® Advance C356iF II, C356iF III         | GPR-58         |
| 20 | Canon imageRUNNER® Advance DX C257iF                     | GPR-58         |
| 21 | Canon imageRUNNER® Advance DX C357iF                     | GPR-58         |
| 22 | Canon imageRUNNER® 2630                                  | GPR-62         |

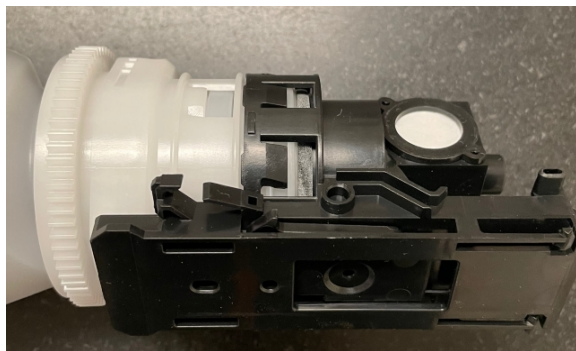
22. Non-limiting examples of Accused Products sold by Defendant that infringe the Asserted Patents include those bearing the designations D28CAC3320BA-K, D28CAC3320CA-K, D28CAC3320MA-K, D28CAC3320YA-K, NCGPR58K, NCGPR58C, NCGPR58M, and NCGPR58Y.

23. A non-limiting example of an infringing toner supply container imported and/or sold by Defendant is model D28CAC3320BA-K, depicted below.

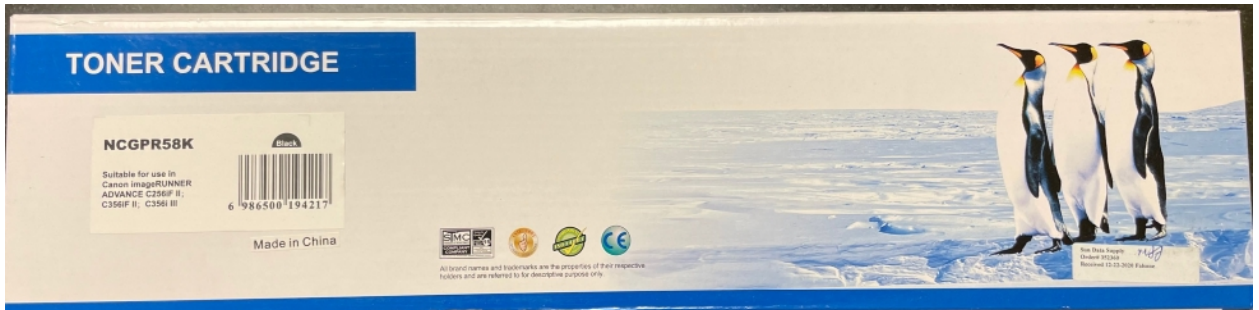


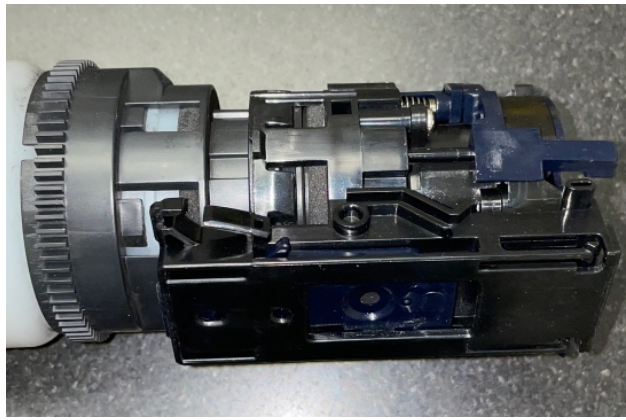
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24. Another non-limiting example of an infringing toner supply container imported and/or sold by Defendant is model NCGPR58K, depicted below.





**First Cause of Action: Infringement of U.S. Patent No. 10,209,667**

25. Canon repeats and incorporates by reference the allegations of paragraphs 1-24, as though set forth here in their entirety.

26. Defendant has directly infringed and is directly infringing the '667 patent by selling and/or offering to sell within the United States and/or importing into the United States Accused Products embodying the invention defined by one or more claims of the '667 patent, without authority of Canon. More particularly, Defendant's sale and/or offer for sale in the United States and/or importation into the United States of the Accused Products infringes at least claims 1, 3, 6-8, 11, 12, 14, 17-19, and 23 of the '667 patent.

27. Defendant also is indirectly infringing the '667 patent at least by virtue of its inducement of direct infringement of that patent by customers who use Defendant's Accused Products in at least the Canon copy machines listed above. At the very latest, Defendant will be given notice of the '667 patent and its infringement thereof upon being served with or otherwise receiving this Complaint. On information and belief, Defendant knowingly induces customers to use its Accused Products, including, for example, by promoting them for use in specific copy machines and/or providing customers with instructions for using them in those copy machines.

28. Attached hereto as Exhibit 1, and incorporated by reference herein, is a claim chart detailing how Defendant's D28CAC3320BA-K toner supply

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1 container, which is an example of an Accused Product, infringes independent claim  
2 1 of the '667 patent.

3 29. Attached hereto as Exhibit 2, and incorporated by reference herein, is  
4 a claim chart detailing how Defendant's NCGPR58K toner supply container,  
5 which is another example of an Accused Product, infringes independent claim 1 of  
6 the '667 patent.

7 30. Upon information and belief, the exemplary model D28CAC3320BA-  
8 K and NCGPR58K toner supply containers shown herein are substantially the  
9 same as the other Accused Products in all relevant respects, and thus are  
10 representative of the Accused Products.

11 31. The Court has not yet construed the meaning of any claims or terms in  
12 the '667 patent. In providing these detailed allegations, Canon does not intend to  
13 convey or imply any particular claim construction or the precise scope of the  
14 claims. Canon's contentions regarding the construction of the claims will be  
15 provided in compliance with the case schedule, any applicable federal or local  
16 procedural rules, and/or any applicable orders.

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

24 33. Defendant's acts complained of herein are damaging and will  
25 continue to cause irreparable injury and damage to Canon for which there is no  
26 adequate remedy at law. Canon is therefore entitled to preliminary and permanent  
27 injunctions restraining and enjoining Defendant from infringing the claims of the  
28 '667 patent.

1 34. By reason of Defendant’s infringing activities, Canon has suffered,  
2 and will continue to suffer, substantial damages in an amount to be determined at  
3 trial.

4 **Second Cause of Action: Infringement of U.S. Patent No. 10,289,060**

5 35. Canon repeats and incorporates by reference the allegations of  
6 paragraphs 1-24, as though set forth here in their entirety.

7 36. Defendant has directly infringed and is directly infringing the ’060  
8 patent by selling and/or offering to sell within the United States and/or importing  
9 into the United States Accused Products embodying the invention defined by one  
10 or more claims of the ’060 patent, without authority of Canon. More particularly,  
11 Defendant’s sale and/or offer for sale in the United States and/or importation into  
12 the United States of the Accused Products infringes at least claims 1, 2, 6-8, 11, 12,  
13 and 16-18 of the ’060 patent.

14 37. Defendant also is indirectly infringing the ’060 patent at least by  
15 virtue of its inducement of direct infringement of that patent by customers who use  
16 Defendant’s Accused Products in at least the Canon copy machines listed above.  
17 At the very latest, Defendant will be given notice of the ’060 patent and its  
18 infringement thereof upon being served with or otherwise receiving this  
19 Complaint. On information and belief, Defendant knowingly induces customers to  
20 use its Accused Products, including, for example, by promoting them for use in  
21 specific copy machines and/or providing customers with instructions for using  
22 them in those copy machines.

23 38. Attached hereto as Exhibit 3, and incorporated by reference herein, is  
24 a claim chart detailing how Defendant’s D28CAC3320BA-K toner supply  
25 container, which is an example of an Accused Product, infringes independent claim  
26 1 of the ’060 patent.

27 39. Attached hereto as Exhibit 4, and incorporated by reference herein, is  
28 a claim chart detailing how Defendant’s NCGPR58K toner supply container,

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1 which is another example of an Accused Product, infringes independent claim 1 of  
2 the '060 patent.

3 40. Upon information and belief, the exemplary model D28CAC3320BA-  
4 K and NCGPR58K toner supply containers shown herein are substantially the  
5 same as the other Accused Products in all relevant respects, and thus are  
6 representative of the Accused Products.

7 41. The Court has not yet construed the meaning of any claims or terms in  
8 the '060 patent. In providing these detailed allegations, Canon does not intend to  
9 convey or imply any particular claim construction or the precise scope of the  
10 claims. Canon's contentions regarding the construction of the claims will be  
11 provided in compliance with the case schedule, any applicable federal or local  
12 procedural rules, and/or any applicable orders.

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

20 43. Defendant's acts complained of herein are damaging and will  
21 continue to cause irreparable injury and damage to Canon for which there is no  
22 adequate remedy at law. Canon is therefore entitled to preliminary and permanent  
23 injunctions restraining and enjoining Defendant from infringing the claims of the  
24 '060 patent.

25 44. By reason of Defendant's infringing activities, Canon has suffered,  
26 and will continue to suffer, substantial damages in an amount to be determined at  
27 trial.  
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1                   **Third Cause of Action: Infringement of U.S. Patent No. 10,289,061**

2                   45. Canon repeats and incorporates by reference the allegations of  
3 paragraphs 1-24, as though set forth here in their entirety.

4                   46. Defendant has directly infringed and is directly infringing the '061  
5 patent by selling and/or offering to sell within the United States and/or importing  
6 into the United States Accused Products embodying the invention defined by one  
7 or more claims of the '061 patent, without authority of Canon. More particularly,  
8 Defendant's sale and/or offer for sale in the United States and/or importation into  
9 the United States of the Accused Products infringes at least claims 1-3, 6-8, 11-14,  
10 17-19, and 23 of the '061 patent.

11                  47. Defendant also is indirectly infringing the '061 patent at least by  
12 virtue of its inducement of direct infringement of that patent by customers who use  
13 Defendant's Accused Products in at least the Canon copy machines listed above.  
14 At the very latest, Defendant will be given notice of the '061 patent and its  
15 infringement thereof upon being served with or otherwise receiving this  
16 Complaint. On information and belief, Defendant knowingly induces customers to  
17 use its Accused Products, including, for example, by promoting them for use in  
18 specific copy machines and/or providing customers with instructions for using  
19 them in those copy machines.

20                  48. Attached hereto as Exhibit 5, and incorporated by reference herein, is  
21 a claim chart detailing how Defendant's D28CAC3320BA-K toner supply  
22 container, which is an example of an Accused Product, infringes independent claim  
23 1 of the '061 patent.

24                  49. Attached hereto as Exhibit 6, and incorporated by reference herein, is  
25 a claim chart detailing how Defendant's NCGPR58K toner supply container,  
26 which is another example of an Accused Product, infringes independent claim 1 of  
27 the '061 patent.

28                  50. Upon information and belief, the exemplary model D28CAC3320BA-

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1 K and NCGPR58K toner supply containers shown herein are substantially the  
2 same as the other Accused Products in all relevant respects, and thus are  
3 representative of the Accused Products.

4 51. The Court has not yet construed the meaning of any claims or terms in  
5 the '061 patent. In providing these detailed allegations, Canon does not intend to  
6 convey or imply any particular claim construction or the precise scope of the  
7 claims. Canon's contentions regarding the construction of the claims will be  
8 provided in compliance with the case schedule, any applicable federal or local  
9 procedural rules, and/or any applicable orders.

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

17 53. Defendant's acts complained of herein are damaging and will  
18 continue to cause irreparable injury and damage to Canon for which there is no  
19 adequate remedy at law. Canon is therefore entitled to preliminary and permanent  
20 injunctions restraining and enjoining Defendant from infringing the claims of the  
21 '061 patent.

22 54. By reason of Defendant's infringing activities, Canon has suffered,  
23 and will continue to suffer, substantial damages in an amount to be determined at  
24 trial.

25 **Fourth Cause of Action: Infringement of U.S. Patent No. 10,295,957**

26 55. Canon repeats and incorporates by reference the allegations of  
27 paragraphs 1-24, as though set forth here in their entirety.

28 56. Defendant has directly infringed and is directly infringing the '957

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1 patent by selling and/or offering to sell within the United States and/or importing  
2 into the United States Accused Products embodying the invention defined by one  
3 or more claims of the '957 patent, without authority of Canon. More particularly,  
4 Defendant's sale and/or offer for sale in the United States and/or importation into  
5 the United States of the Accused Products infringes at least claims 1, 2, 4, 7-9, 12-  
6 14, 16, 19-21, and 25 of the '957 patent.

7 57. Defendant also is indirectly infringing the '957 patent at least by  
8 virtue of its inducement of direct infringement of that patent by customers who use  
9 Defendant's Accused Products in at least the Canon copy machines listed above.  
10 At the very latest, Defendant will be given notice of the '957 patent and its  
11 infringement thereof upon being served with or otherwise receiving this  
12 Complaint. On information and belief, Defendant knowingly induces customers to  
13 use its Accused Products, including, for example, by promoting them for use in  
14 specific copy machines and/or providing customers with instructions for using  
15 them in those copy machines.

16 58. Attached hereto as Exhibit 7, and incorporated by reference herein, is  
17 a claim chart detailing how Defendant's D28CAC3320BA-K toner supply  
18 container, which is an example of an Accused Product, infringes independent claim  
19 1 of the '957 patent.

20 59. Attached hereto as Exhibit 8, and incorporated by reference herein, is  
21 a claim chart detailing how Defendant's NCGPR58K toner supply container,  
22 which is another example of an Accused Product, infringes independent claim 1 of  
23 the '957 patent.

24 60. Upon information and belief, the exemplary model D28CAC3320BA-  
25 K and NCGPR58K toner supply containers shown herein are substantially the  
26 same as the other Accused Products in all relevant respects, and thus are  
27 representative of the Accused Products.

28 61. The Court has not yet construed the meaning of any claims or terms in



1 the '957 patent. In providing these detailed allegations, Canon does not intend to  
2 convey or imply any particular claim construction or the precise scope of the  
3 claims. Canon's contentions regarding the construction of the claims will be  
4 provided in compliance with the case schedule, any applicable federal or local  
5 procedural rules, and/or any applicable orders.

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

13 63. Defendant's acts complained of herein are damaging and will  
14 continue to cause irreparable injury and damage to Canon for which there is no  
15 adequate remedy at law. Canon is therefore entitled to preliminary and permanent  
16 injunctions restraining and enjoining Defendant from infringing the claims of the  
17 '957 patent.

18 64. By reason of Defendant's infringing activities, Canon has suffered,  
19 and will continue to suffer, substantial damages in an amount to be determined at  
20 trial.

21 **Fifth Cause of Action: Infringement of U.S. Patent No. 10,488,814**

22 65. Canon repeats and incorporates by reference the allegations of  
23 paragraphs 1-24, as though set forth here in their entirety.

24 66. Defendant has directly infringed and is directly infringing the '814  
25 patent by selling and/or offering to sell within the United States and/or importing  
26 into the United States Accused Products embodying the invention defined by one  
27 or more claims of the '814 patent, without authority of Canon. More particularly,  
28 Defendant's sale and/or offer for sale in the United States and/or importation into

1 the United States of the Accused Products infringes at least claims 1, 4, 7-9, 12, 13,  
2 16, 19-21, and 25 of the '814 patent.

3 67. Defendant also is indirectly infringing the '814 patent at least by  
4 virtue of its inducement of direct infringement of that patent by customers who use  
5 Defendant's Accused Products in at least the Canon copy machines listed above.  
6 At the very latest, Defendant will be given notice of the '814 patent and its  
7 infringement thereof upon being served with or otherwise receiving this  
8 Complaint. On information and belief, Defendant knowingly induces customers to  
9 use its Accused Products, including, for example, by promoting them for use in  
10 specific copy machines and/or providing customers with instructions for using  
11 them in those copy machines.

12 68. Attached hereto as Exhibit 9, and incorporated by reference herein, is  
13 a claim chart detailing how Defendant's D28CAC3320BA-K toner supply  
14 container, which is an example of an Accused Product, infringes independent claim  
15 1 of the '814 patent.

16 69. Attached hereto as Exhibit 10, and incorporated by reference herein,  
17 is a claim chart detailing how Defendant's NCGPR58K toner supply container,  
18 which is another example of an Accused Product, infringes independent claim 1 of  
19 the '814 patent.

20 70. Upon information and belief, the exemplary model D28CAC3320BA-  
21 K and NCGPR58K toner supply containers shown herein are substantially the  
22 same as the other Accused Products in all relevant respects, and thus are  
23 representative of the Accused Products.

24 71. The Court has not yet construed the meaning of any claims or terms in  
25 the '814 patent. In providing these detailed allegations, Canon does not intend to  
26 convey or imply any particular claim construction or the precise scope of the  
27 claims. Canon's contentions regarding the construction of the claims will be  
28 provided in compliance with the case schedule, any applicable federal or local

1 procedural rules, and/or any applicable orders.

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

9 73. Defendant's acts complained of herein are damaging and will  
10 continue to cause irreparable injury and damage to Canon for which there is no  
11 adequate remedy at law. Canon is therefore entitled to preliminary and permanent  
12 injunctions restraining and enjoining Defendant from infringing the claims of the  
13 '814 patent.

14 74. By reason of Defendant's infringing activities, Canon has suffered,  
15 and will continue to suffer, substantial damages in an amount to be determined at  
16 trial.

17 **Sixth Cause of Action: Infringement of U.S. Patent No. 10,496,032**

18 75. Canon repeats and incorporates by reference the allegations of  
19 paragraphs 1-24, as though set forth here in their entirety.

20 76. Defendant has directly infringed and is directly infringing the '032  
21 patent by selling and/or offering to sell within the United States and/or importing  
22 into the United States Accused Products embodying the invention defined by one  
23 or more claims of the '032 patent, without authority of Canon. More particularly,  
24 Defendant's sale and/or offer for sale in the United States and/or importation into  
25 the United States of the Accused Products infringes at least claims 1, 4, 7-9, 12, 13,  
26 16, 19-21, 25, 26, 29, 32-34, 37, 38, 41, 44-46, 49, 50, 53, 56-58, and 61 of the  
27 '032 patent.

28 77. Defendant also is indirectly infringing the '032 patent at least by

1 virtue of its inducement of direct infringement of that patent by customers who use  
2 Defendant's Accused Products in at least the Canon copy machines listed above.  
3 At the very latest, Defendant will be given notice of the '032 patent and its  
4 infringement thereof upon being served with or otherwise receiving this  
5 Complaint. On information and belief, Defendant knowingly induces customers to  
6 use its Accused Products, including, for example, by promoting them for use in  
7 specific copy machines and/or providing customers with instructions for using  
8 them in those copy machines.

9 78. Attached hereto as Exhibit 11, and incorporated by reference herein,  
10 is a claim chart detailing how Defendant's D28CAC3320BA-K toner supply  
11 container, which is an example of an Accused Product, infringes independent claim  
12 1 of the '032 patent.

13 79. Attached hereto as Exhibit 12, and incorporated by reference herein,  
14 is a claim chart detailing how Defendant's NCGPR58K toner supply container,  
15 which is another example of an Accused Product, infringes independent claim 1 of  
16 the '032 patent.

17 80. Upon information and belief, the exemplary model D28CAC3320BA-  
18 K and NCGPR58K toner supply containers shown herein are substantially the  
19 same as the other Accused Products in all relevant respects, and thus are  
20 representative of the Accused Products.

21 81. The Court has not yet construed the meaning of any claims or terms in  
22 the '032 patent. In providing these detailed allegations, Canon does not intend to  
23 convey or imply any particular claim construction or the precise scope of the  
24 claims. Canon's contentions regarding the construction of the claims will be  
25 provided in compliance with the case schedule, any applicable federal or local  
26 procedural rules, and/or any applicable orders.

27 82. Canon contends that each element of each asserted claim is literally  
28 present in the accused toner supply containers. If as a result of the Court's

1 constructions or other determinations one or more claim elements are not literally  
2 present, Canon contends that each such element is present under the doctrine of  
3 equivalents and reserves its right to provide more detailed doctrine of equivalents  
4 contentions after discovery, a claim construction order from the Court, or at  
5 another appropriate time.

6 83. Defendant's acts complained of herein are damaging and will  
7 continue to cause irreparable injury and damage to Canon for which there is no  
8 adequate remedy at law. Canon is therefore entitled to preliminary and permanent  
9 injunctions restraining and enjoining Defendant from infringing the claims of the  
10 '032 patent.

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

14 **Seventh Cause of Action: Infringement of U.S. Patent No. 10,496,033**

15 85. Canon repeats and incorporates by reference the allegations of  
16 paragraphs 1-24, as though set forth here in their entirety.

17 86. Defendant has directly infringed and is directly infringing the '033  
18 patent by selling and/or offering to sell within the United States and/or importing  
19 into the United States Accused Products embodying the invention defined by one  
20 or more claims of the '033 patent, without authority Canon. More particularly,  
21 Defendant's sale and/or offer for sale in the United States and/or importation into  
22 the United States of the Accused Products infringes at least claims 1, 5, 8-10, 13,  
23 14, 18, 21-23, and 26-28 of the '033 patent.

24 87. Defendant also is indirectly infringing the '033 patent at least by  
25 virtue of its inducement of direct infringement of that patent by customers who use  
26 Defendant's Accused Products in at least the Canon copy machines listed above.  
27 At the very latest, Defendant will be given notice of the '033 patent and its  
28 infringement thereof upon being served with or otherwise receiving this

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1 Complaint. On information and belief, Defendant knowingly induces customers to  
2 use its Accused Products, including, for example, by promoting them for use in  
3 specific copy machines and/or providing customers with instructions for using  
4 them in those copy machines.

5 88. Attached hereto as Exhibit 13, and incorporated by reference herein,  
6 is a claim chart detailing how Defendant's D28CAC3320BA-K toner supply  
7 container, which is an example of an Accused Product, infringes independent claim  
8 1 of the '033 patent.

9 89. Attached hereto as Exhibit 14, and incorporated by reference herein,  
10 is a claim chart detailing how Defendant's NCGPR58K toner supply container,  
11 which is another example of an Accused Product, infringes independent claim 1 of  
12 the '033 patent.

13 90. Upon information and belief, the exemplary model D28CAC3320BA-  
14 K and NCGPR58K toner supply containers shown herein are substantially the  
15 same as the other Accused Products in all relevant respects, and thus are  
16 representative of the Accused Products.

17 91. The Court has not yet construed the meaning of any claims or terms in  
18 the '033 patent. In providing these detailed allegations, Canon does not intend to  
19 convey or imply any particular claim construction or the precise scope of the  
20 claims. Canon's contentions regarding the construction of the claims will be  
21 provided in compliance with the case schedule, any applicable federal or local  
22 procedural rules, and/or any applicable orders.

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



1 another appropriate time.

2 93. Defendant's acts complained of herein are damaging and will  
3 continue to cause irreparable injury and damage to Canon for which there is no  
4 adequate remedy at law. Canon is therefore entitled to preliminary and permanent  
5 injunctions restraining and enjoining Defendant from infringing the claims of the  
6 '033 patent.

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

10 **Eighth Cause of Action: Infringement of U.S. Patent No. 10,514,654**

11 95. Canon repeats and incorporates by reference the allegations of  
12 paragraphs 1-24, as though set forth here in their entirety.

13 96. Defendant has directly infringed and is directly infringing the '654  
14 patent by selling and/or offering to sell within the United States and/or importing  
15 into the United States Accused Products embodying the invention defined by one  
16 or more claims of the '654 patent, without authority of Canon. More particularly,  
17 Defendant's sale and/or offer for sale in the United States and/or importation into  
18 the United States of the Accused Products infringes at least claims 1, 3-5, 8, 10-12,  
19 46, 48-50, 53, and 55-57 of the '654 patent.

20 97. Defendant also is indirectly infringing the '654 patent at least by  
21 virtue of its inducement of direct infringement of that patent by customers who use  
22 Defendant's Accused Products in at least the Canon copy machines listed above.  
23 At the very latest, Defendant will be given notice of the '654 patent and its  
24 infringement thereof upon being served with or otherwise receiving this  
25 Complaint. On information and belief, Defendant knowingly induces customers to  
26 use its Accused Products, including, for example, by promoting them for use in  
27 specific copy machines and/or providing customers with instructions for using  
28 them in those copy machines.

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1           98. Attached hereto as Exhibit 15, and incorporated by reference herein,  
2 is a claim chart detailing how Defendant’s D28CAC3320BA-K toner supply  
3 container, which is an example of an Accused Product, infringes independent claim  
4 1 of the ’654 patent.

5           99. Attached hereto as Exhibit 16, and incorporated by reference herein,  
6 is a claim chart detailing how Defendant’s NCGPR58K toner supply container,  
7 which is another example of an Accused Product, infringes independent claim 1 of  
8 the ’654 patent.

9           100. Upon information and belief, the exemplary model D28CAC3320BA-  
10 K and NCGPR58K toner supply containers shown herein are substantially the  
11 same as the other Accused Products in all relevant respects, and thus are  
12 representative of the Accused Products.

13           101. The Court has not yet construed the meaning of any claims or terms in  
14 the ’654 patent. In providing these detailed allegations, Canon does not intend to  
15 convey or imply any particular claim construction or the precise scope of the  
16 claims. Canon’s contentions regarding the construction of the claims will be  
17 provided in compliance with the case schedule, any applicable federal or local  
18 procedural rules, and/or any applicable orders.

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

26           103. Defendant’s acts complained of herein are damaging and will  
27 continue to cause irreparable injury and damage to Canon for which there is no  
28 adequate remedy at law. Canon is therefore entitled to preliminary and permanent

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1 injunctions restraining and enjoining Defendant from infringing the claims of the  
2 '654 patent.

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

6 **Ninth Cause of Action: Infringement of U.S. Patent No. 10,520,881**

7 105. Canon repeats and incorporates by reference the allegations of  
8 paragraphs 1-24, as though set forth here in their entirety.

9 106. Defendant has directly infringed and is directly infringing the '881  
10 patent by selling and/or offering to sell within the United States and/or importing  
11 into the United States Accused Products embodying the invention defined by one  
12 or more claims of the '881 patent, without authority of Canon. More particularly,  
13 Defendant's sale and/or offer for sale in the United States and/or importation into  
14 the United States of the Accused Products infringes at least claims 1, 5, 8-10, 13,  
15 14, 18, 21-23, and 25 of the '881 patent.

16 107. Defendant also is indirectly infringing the '881 patent at least by  
17 virtue of its inducement of direct infringement of that patent by customers who use  
18 Defendant's Accused Products in at least the Canon copy machines listed above.  
19 At the very latest, Defendant will be given notice of the '881 patent and its  
20 infringement thereof upon being served with or otherwise receiving this  
21 Complaint. On information and belief, Defendant knowingly induces customers to  
22 use its Accused Products, including, for example, by promoting them for use in  
23 specific copy machines and/or providing customers with instructions for using  
24 them in those copy machines.

25 108. Attached hereto as Exhibit 17, and incorporated by reference herein,  
26 is a claim chart detailing how Defendant's D28CAC3320BA-K toner supply  
27 container, which is an example of an Accused Product, infringes independent claim  
28 1 of the '881 patent.

1           109. Attached hereto as Exhibit 18, and incorporated by reference herein,  
2 is a claim chart detailing how Defendant’s NCGPR58K toner supply container,  
3 which is another example of an Accused Product, infringes independent claim 1 of  
4 the ’881 patent.

5           110. Upon information and belief, the exemplary model D28CAC3320BA-  
6 K and NCGPR58K toner supply containers shown herein are substantially the  
7 same as the other Accused Products in all relevant respects, and thus are  
8 representative of the Accused Products.

9           111. The Court has not yet construed the meaning of any claims or terms in  
10 the ’881 patent. In providing these detailed allegations, Canon does not intend to  
11 convey or imply any particular claim construction or the precise scope of the  
12 claims. Canon’s contentions regarding the construction of the claims will be  
13 provided in compliance with the case schedule, any applicable federal or local  
14 procedural rules, and/or any applicable orders.

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

22           113. Defendant’s acts complained of herein are damaging and will  
23 continue to cause irreparable injury and damage to Canon for which there is no  
24 adequate remedy at law. Canon is therefore entitled to preliminary and permanent  
25 injunctions restraining and enjoining Defendant from infringing the claims of the  
26 ’881 patent.

27           114. By reason of Defendant’s infringing activities, Canon has suffered,  
28 and will continue to suffer, substantial damages in an amount to be determined at

1 trial.

2 **Tenth Cause of Action: Infringement of U.S. Patent No. 10,520,882**

3 115. Canon repeats and incorporates by reference the allegations of  
4 paragraphs 1-24, as though set forth here in their entirety.

5 116. Defendant has directly infringed and is directly infringing the '882  
6 patent by selling and/or offering to sell within the United States and/or importing  
7 into the United States Accused Products embodying the invention defined by one  
8 or more claims of the '882 patent, without authority of Canon. More particularly,  
9 Defendant's sale and/or offer for sale in the United States and/or importation into  
10 the United States of the Accused Products infringes at least claims 1, 6-8, 11, and  
11 16-18 of the '882 patent.

12 117. Defendant also is indirectly infringing the '882 patent at least by  
13 virtue of its inducement of direct infringement of that patent by customers who use  
14 Defendant's Accused Products in at least the Canon copy machines listed above.  
15 At the very latest, Defendant will be given notice of the '882 patent and its  
16 infringement thereof upon being served with or otherwise receiving this  
17 Complaint. On information and belief, Defendant knowingly induces customers to  
18 use its Accused Products, including, for example, by promoting them for use in  
19 specific copy machines and/or providing customers with instructions for using  
20 them in those copy machines.

21 118. Attached hereto as Exhibit 19, and incorporated by reference herein,  
22 is a claim chart detailing how Defendant's D28CAC3320BA-K toner supply  
23 container, which is an example of an Accused Product, infringes independent claim  
24 1 of the '882 patent.

25 119. Attached hereto as Exhibit 20, and incorporated by reference herein,  
26 is a claim chart detailing how Defendant's NCGPR58K toner supply container,  
27 which is another example of an Accused Product, infringes independent claim 1 of  
28 the '882 patent.

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

6 C. That Defendant be ordered to pay damages adequate to compensate  
7 Canon for Defendant’s infringement of the Asserted Patents pursuant to 35 U.S.C.  
8 § 284, including lost profits and/or a reasonable royalty, together with interest  
9 thereon;

10 D. That Defendant be ordered to pay all of Canon’s costs associated with  
11 this action; and

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

14 **Jury Demand**

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

17  
18  
19 Dated: March 8, 2021

VENABLE LLP

20 /s/ Sarah S. Brooks

21 Sarah S. Brooks

22 Michael P. Sandonato (*Pro Hac to be*  
23 *Filed*)

24 *Attorneys for Plaintiff Canon Inc.*  
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