

1 VENABLE LLP  
Sarah S. Brooks (SBN 266292)  
2 ssbrooks@venable.com  
2049 Century Park East, Suite 2300  
Los Angeles, California 90067  
3 Telephone: (310) 229-9900  
Facsimile: (310) 229-9901  
4

5 *Attorneys for Plaintiff Canon Inc.*  
6  
7

8 **UNITED STATES DISTRICT COURT**  
9 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**

10 CANON INC., a Japanese corporation,  
11 Plaintiff,  
12 v.  
13 LD PRODUCTS, INC., a California  
14 corporation,  
15 Defendant.

Case No. 2:21-cv-2087

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

**JURY TRIAL DEMANDED**

VENABLE LLP  
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 LD Products, 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, LD Products, 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 3700 Cover Street, Long Beach, California 90808.

23 5. On information and belief, Defendant conducts activities via the  
24 internet at least as *ldproducts.com* and through its “LD Products” storefront on  
25 *Amazon.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.



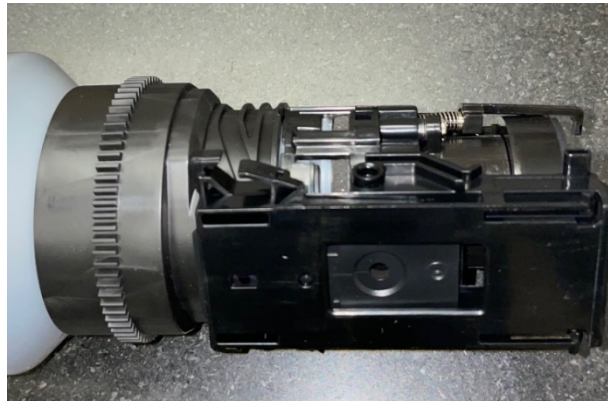
1	Canon imageRUNNER® Advance C5560i, C5560i II, C5560i III	GPR-55/GPR-55L
2	Canon imageRUNNER® Advance DX C5735i	GPR-55/GPR-55L
3	Canon imageRUNNER® Advance DX C5740i	GPR-55/GPR-55L
4	Canon imageRUNNER® Advance DX C5750i	GPR-55/GPR-55L
5	Canon imageRUNNER® Advance DX C5760i	GPR-55/GPR-55L
6	Canon imageRUNNER® 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 NCGPR55K, NCGPR55C, NCGPR55M and NCGPR55Y.

23. A non-limiting example of an infringing toner supply container imported and/or sold by Defendant is model NCGPR55K, depicted below.

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

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

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

25. 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.

26. 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

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

1 Defendant's Accused Products in at least the Canon copy machines listed above.  
2 At the very latest, Defendant will be given notice of the '667 patent and its  
3 infringement thereof upon being served with or otherwise receiving this  
4 Complaint. On information and belief, Defendant knowingly induces customers to  
5 use its Accused Products, including, for example, by promoting them for use in  
6 specific copy machines and/or providing customers with instructions for using  
7 them in those copy machines.

8 27. Attached hereto as Exhibit 1, and incorporated by reference herein, is  
9 a claim chart detailing how Defendant's NCGPR55K toner supply container,  
10 which is a representative example of an Accused Product, infringes independent  
11 claim 1 of the '667 patent.

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

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

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



1 '667 patent.

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

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

6 32. Canon repeats and incorporates by reference the allegations of  
7 paragraphs 1-23, as though set forth here in their entirety.

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

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

24 35. Attached hereto as Exhibit 2, and incorporated by reference herein, is  
25 a claim chart detailing how Defendant's NCGPR55K toner supply container,  
26 which is a representative example of an Accused Product, infringes independent  
27 claim 1 of the '060 patent.

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

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

1 the '060 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 37. 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 38. 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 '060 patent.

18 39. 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 **Third Cause of Action: Infringement of U.S. Patent No. 10,289,061**

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

24 41. Defendant has directly infringed and is directly infringing the '061  
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 '061 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 1-3, 6-8, 11-14,  
2 17-19, and 23 of the '061 patent.

3 42. Defendant also is indirectly infringing the '061 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 '061 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 43. Attached hereto as Exhibit 3, and incorporated by reference herein, is  
13 a claim chart detailing how Defendant's NCGPR55K toner supply container,  
14 which is a representative example of an Accused Product, infringes independent  
15 claim 1 of the '061 patent.

16 44. The Court has not yet construed the meaning of any claims or terms in  
17 the '061 patent. In providing these detailed allegations, Canon does not intend to  
18 convey or imply any particular claim construction or the precise scope of the  
19 claims. Canon's contentions regarding the construction of the claims will be  
20 provided in compliance with the case schedule, any applicable federal or local  
21 procedural rules, and/or any applicable orders.

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

1           46. Defendant’s acts complained of herein are damaging and will  
2 continue to cause irreparable injury and damage to Canon for which there is no  
3 adequate remedy at law. Canon is therefore entitled to preliminary and permanent  
4 injunctions restraining and enjoining Defendant from infringing the claims of the  
5 ’061 patent.

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

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

10           48. Canon repeats and incorporates by reference the allegations of  
11 paragraphs 1-23, as though set forth here in their entirety.

12           49. Defendant has directly infringed and is directly infringing the ’957  
13 patent by selling and/or offering to sell within the United States and/or importing  
14 into the United States Accused Products embodying the invention defined by one  
15 or more claims of the ’957 patent, without authority of Canon. More particularly,  
16 Defendant’s sale and/or offer for sale in the United States and/or importation into  
17 the United States of the Accused Products infringes at least claims 1, 2, 4, 7-9, 12-  
18 14, 16, 19-21, and 25 of the ’957 patent.

19           50. Defendant also is indirectly infringing the ’957 patent at least by  
20 virtue of its inducement of direct infringement of that patent by customers who use  
21 Defendant’s Accused Products in at least the Canon copy machines listed above.  
22 At the very latest, Defendant will be given notice of the ’957 patent and its  
23 infringement thereof upon being served with or otherwise receiving this  
24 Complaint. On information and belief, Defendant knowingly induces customers to  
25 use its Accused Products, including, for example, by promoting them for use in  
26 specific copy machines and/or providing customers with instructions for using  
27 them in those copy machines.

28           51. Attached hereto as Exhibit 4, and incorporated by reference herein, is

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

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

1 a claim chart detailing how Defendant’s NCGPR55K toner supply container,  
2 which is a representative example of an Accused Product, infringes independent  
3 claim 1 of the ’957 patent.

4 52. The Court has not yet construed the meaning of any claims or terms in  
5 the ’957 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 53. 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 54. 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 ’957 patent.

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

26 56. Canon repeats and incorporates by reference the allegations of  
27 paragraphs 1-23, as though set forth here in their entirety.

28 57. Defendant has directly infringed and is directly infringing the ’814

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

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 '814 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, 4, 7-9, 12, 13,  
6 16, 19-21, and 25 of the '814 patent.

7 58. Defendant also is indirectly infringing the '814 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 '814 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 59. Attached hereto as Exhibit 5, and incorporated by reference herein, is  
17 a claim chart detailing how Defendant's NCGPR55K toner supply container,  
18 which is a representative example of an Accused Product, infringes independent  
19 claim 1 of the '814 patent.

20 60. The Court has not yet construed the meaning of any claims or terms in  
21 the '814 patent. In providing these detailed allegations, Canon does not intend to  
22 convey or imply any particular claim construction or the precise scope of the  
23 claims. Canon's contentions regarding the construction of the claims will be  
24 provided in compliance with the case schedule, any applicable federal or local  
25 procedural rules, and/or any applicable orders.

26 61. Canon contends that each element of each asserted claim is literally  
27 present in the accused toner supply containers. If as a result of the Court's  
28 constructions or other determinations one or more claim elements are not literally

1 present, Canon contends that each such element is present under the doctrine of  
2 equivalents and reserves its right to provide more detailed doctrine of equivalents  
3 contentions after discovery, a claim construction order from the Court, or at  
4 another appropriate time.

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

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

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

14 64. Canon repeats and incorporates by reference the allegations of  
15 paragraphs 1-23, as though set forth here in their entirety.

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

24 66. Defendant also is indirectly infringing the '032 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 '032 patent and its  
28 infringement thereof upon being served with or otherwise receiving this

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

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 67. Attached hereto as Exhibit 6, and incorporated by reference herein, is  
6 a claim chart detailing how Defendant's NCGPR55K toner supply container,  
7 which is a representative example of an Accused Product, infringes independent  
8 claim 1 of the '032 patent.

9 68. The Court has not yet construed the meaning of any claims or terms in  
10 the '032 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 69. 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 70. 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 '032 patent.

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

3 72. Canon repeats and incorporates by reference the allegations of  
4 paragraphs 1-23, as though set forth here in their entirety.

5 73. Defendant has directly infringed and is directly infringing the '033  
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 '033 patent, without authority 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, 5, 8-10, 13,  
11 14, 18, 21-23, and 26-28 of the '033 patent.

12 74. Defendant also is indirectly infringing the '033 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 '033 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 75. Attached hereto as Exhibit 7, and incorporated by reference herein, is  
22 a claim chart detailing how Defendant's NCGPR55K toner supply container,  
23 which is a representative example of an Accused Product, infringes independent  
24 claim 1 of the '033 patent.

25 76. The Court has not yet construed the meaning of any claims or terms in  
26 the '033 patent. In providing these detailed allegations, Canon does not intend to  
27 convey or imply any particular claim construction or the precise scope of the  
28 claims. Canon's contentions regarding the construction of the claims will be

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

1 provided in compliance with the case schedule, any applicable federal or local  
2 procedural rules, and/or any applicable orders.

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

10 78. Defendant's acts complained of herein are damaging and will  
11 continue to cause irreparable injury and damage to Canon for which there is no  
12 adequate remedy at law. Canon is therefore entitled to preliminary and permanent  
13 injunctions restraining and enjoining Defendant from infringing the claims of the  
14 '033 patent.

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

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

19 80. Canon repeats and incorporates by reference the allegations of  
20 paragraphs 1-23, as though set forth here in their entirety.

21 81. Defendant has directly infringed and is directly infringing the '654  
22 patent by selling and/or offering to sell within the United States and/or importing  
23 into the United States Accused Products embodying the invention defined by one  
24 or more claims of the '654 patent, without authority of Canon. More particularly,  
25 Defendant's sale and/or offer for sale in the United States and/or importation into  
26 the United States of the Accused Products infringes at least claims 1, 3-5, 8, 10-12,  
27 46, 48-50, 53, and 55-57 of the '654 patent.

28 82. Defendant also is indirectly infringing the '654 patent at least by

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

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 '654 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 83. Attached hereto as Exhibit 8, and incorporated by reference herein, is  
10 a claim chart detailing how Defendant's NCGPR55K toner supply container,  
11 which is a representative example of an Accused Product, infringes independent  
12 claim 1 of the '654 patent.

13 84. 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 85. 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 86. 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

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

3 87. 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 88. Canon repeats and incorporates by reference the allegations of  
8 paragraphs 1-23, as though set forth here in their entirety.

9 89. 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 90. 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 91. Attached hereto as Exhibit 9, and incorporated by reference herein, is  
26 a claim chart detailing how Defendant's NCGPR55K toner supply container,  
27 which is a representative example of an Accused Product, infringes independent  
28 claim 1 of the '881 patent.

1           92. The Court has not yet construed the meaning of any claims or terms in  
2 the '881 patent. In providing these detailed allegations, Canon does not intend to  
3 convey or imply any particular claim construction or the precise scope of the  
4 claims. Canon's contentions regarding the construction of the claims will be  
5 provided in compliance with the case schedule, any applicable federal or local  
6 procedural rules, and/or any applicable orders.

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

14           94. Defendant's acts complained of herein are damaging and will  
15 continue to cause irreparable injury and damage to Canon for which there is no  
16 adequate remedy at law. Canon is therefore entitled to preliminary and permanent  
17 injunctions restraining and enjoining Defendant from infringing the claims of the  
18 '881 patent.

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

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

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

25           97. Defendant has directly infringed and is directly infringing the '882  
26 patent by selling and/or offering to sell within the United States and/or importing  
27 into the United States Accused Products embodying the invention defined by one  
28 or more claims of the '882 patent, without authority of Canon. More particularly,

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

1 Defendant's sale and/or offer for sale in the United States and/or importation into  
2 the United States of the Accused Products infringes at least claims 1, 6-8, 11, and  
3 16-18 of the '882 patent.

4 98. Defendant also is indirectly infringing the '882 patent at least by  
5 virtue of its inducement of direct infringement of that patent by customers who use  
6 Defendant's Accused Products in at least the Canon copy machines listed above.  
7 At the very latest, Defendant will be given notice of the '882 patent and its  
8 infringement thereof upon being served with or otherwise receiving this  
9 Complaint. On information and belief, Defendant knowingly induces customers to  
10 use its Accused Products, including, for example, by promoting them for use in  
11 specific copy machines and/or providing customers with instructions for using  
12 them in those copy machines.

13 99. Attached hereto as Exhibit 10, and incorporated by reference herein,  
14 is a claim chart detailing how Defendant's NCGPR55K toner supply container,  
15 which is a representative example of an Accused Product, infringes independent  
16 claim 1 of the '882 patent.

17 100. The Court has not yet construed the meaning of any claims or terms in  
18 the '882 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.

23 101. 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.

2 102. 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 '882 patent.

7 103. 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 **Prayer for Relief**

11 WHEREFORE, Canon prays for judgment and relief as follows:

12 A. That Defendant has infringed the Asserted Patents;

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

18 C. That Defendant be ordered to pay damages adequate to compensate  
19 Canon for Defendant's infringement of the Asserted Patents pursuant to 35 U.S.C.  
20 § 284, including lost profits and/or a reasonable royalty, together with interest  
21 thereon;

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

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

26 **Jury Demand**

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

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

Dated: March 8, 2021

VENABLE LLP

/s/ Sarah S. Brooks  
Sarah S. Brooks  
Michael P. Sandonato (*Pro Hac to be  
Filed*)  
*Attorneys for Plaintiff Canon Inc.*

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