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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 DIGITAL MARKETING
14 CORPORATION, a Delaware
corporation,
15 Defendant.
16

Case No. 2:21-cv-2094

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

JURY TRIAL DEMANDED

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310-229-9900

1 Plaintiff Canon Inc. (“Canon”) brings this action for patent infringement
2 against Defendant Digital Marketing Corporation (“Defendant”), and alleges as
3 follows:

4 **Related Actions**

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

14 **The Parties**

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

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

21 4. On information and belief, Digital Marketing Corporation is a
22 corporation organized and existing under the laws of the State of Delaware, with
23 its principal place of business located at 155 West Washington Boulevard, Suite
24 306, Los Angeles, California 90015.

25 5. On information and belief, Defendant also does business under the
26 assumed name “Digital Buyer Marketing Company,” and conducts activities via
27 the internet at least as *digitalbuyer.com*.
28

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Jurisdiction and Venue

1
2 6. This is an action for patent infringement arising under the patent laws
3 of the United States, Title 35 of the United States Code. This Court has subject
4 matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

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

11 8. Venue is proper under 28 U.S.C. § 1400(b). Defendant has
12 committed infringing acts in this judicial district and has a regular and established
13 place of business in this judicial district.

Canon’s Patents-in-Suit

14
15 9. On October 22, 2013, U.S. Patent No. 8,565,649 (the “’649 patent”),
16 titled “Developer Supply Container and Developer Supplying System,” duly and
17 legally issued to Canon as assignee of the inventors, Katsuya Murakami, Toshiaki
18 Nagashima, Fumio Tazawa, Ayatomo Okino, and Yusuke Yamada.

19 10. On May 31, 2016, U.S. Patent No. 9,354,551 (the “’551 patent”),
20 titled “Developer Supply Container and Developer Supplying System,” duly and
21 legally issued to Canon as assignee of the inventors, Katsuya Murakami, Toshiaki
22 Nagashima, Fumio Tazawa, Ayatomo Okino, and Yusuke Yamada.

23 11. On September 5, 2017, U.S. Patent No. 9,753,402 (the “’402 patent”),
24 titled “Developer Supply Container and Developer Supplying System,” duly and
25 legally issued to Canon as assignee of the inventors, Katsuya Murakami, Toshiaki
26 Nagashima, Fumio Tazawa, Ayatomo Okino, and Yusuke Yamada.

27 12. On February 19, 2019, U.S. Patent No. 10,209,667 (the “’667
28 patent”), titled “Developer Supply Container and Developer Supplying System,”

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1 duly and legally issued to Canon as assignee of the inventors, Manabu Jimba,
2 Ayatomo Okino, Katsuya Murakami, Toshiaki Nagashima, and Fumio Tazawa.

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

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

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

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

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

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

27 19. On December 24, 2019, U.S. Patent No. 10,514,654 (the “’654
28 patent”), titled “Developer Supply Container and Developer Supplying System,”

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1 duly and legally issued to Canon as assignee of the inventors, Manabu Jimba,
 2 Ayatomo Okino, Katsuya Murakami, Toshiaki Nagashima, and Fumio Tazawa.

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

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

11 22. Canon is the sole owner of the entire right, title, and interest in and to
 12 the ’649, ’551, ’402, ’667, ’060, ’061, ’957, ’814, ’032, ’033, ’654, ’881, and ’882
 13 patents (collectively, “Asserted Patents”), including the right to sue and recover for
 14 any and all infringements thereof.

15 23. The Asserted Patents are valid and enforceable.

16 **Defendant’s Infringing Activities**

17 24. On information and belief, Defendant is engaged in the business of
 18 selling and/or offering to sell within the United States and/or importing into the
 19 United States toner supply containers (hereinafter, “Accused Products”) for use in
 20 one or more Canon copy machines, including but not limited to the copy machines
 21 listed in the table below, which toner supply containers are covered by one or more
 22 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

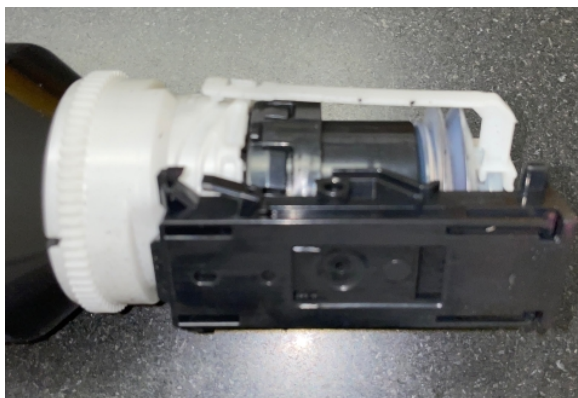
1	Canon imageRUNNER® C1325iF	GPR-52
2	Canon imageRUNNER® C1335iF	GPR-52
3	Canon imageRUNNER® C3025i, C3125i	GPR-53
4	Canon imageRUNNER® Advance C3325i	GPR-53
5	Canon imageRUNNER® Advance C3330i	GPR-53
6	Canon imageRUNNER® Advance C3525i, C3525i II, C3525i III	GPR-53
7	Canon imageRUNNER® Advance C3530i, C3530i II, C3530i III	GPR-53
9	Canon imageRUNNER® Advance DX C3725i	GPR-53/GPR-53L
10	Canon imageRUNNER® Advance DX C3730i	GPR-53/GPR-53L
11	Canon imageRUNNER® Advance C5535i, C5535i II, C5535i III	GPR-55/GPR-55L
12	Canon imageRUNNER® Advance C5540i, C5540i II, C5540i III	GPR-55/GPR-55L
14	Canon imageRUNNER® Advance C5550i, C5550i II, C5550i III	GPR-55/GPR-55L
16	Canon imageRUNNER® Advance C5560i, C5560i II, C5560i III	GPR-55/GPR-55L
17	Canon imageRUNNER® Advance DX C5735i	GPR-55/GPR-55L
18	Canon imageRUNNER® Advance DX C5740i	GPR-55/GPR-55L
19	Canon imageRUNNER® Advance DX C5750i	GPR-55/GPR-55L
20	Canon imageRUNNER® Advance DX C5760i	GPR-55/GPR-55L
21	Canon imageRUNNER® Advance 4525i, 4525i II, 4525i III	GPR-57
22	Canon imageRUNNER® Advance 4535i, 4535i II, 4535i III	GPR-57
24	Canon imageRUNNER® Advance 4545i, 4545i II, 4545i III	GPR-57
26	Canon imageRUNNER® Advance 4551i, 4551i II, 4551i III	GPR-57
27	Canon imageRUNNER® Advance DX4725i	GPR-57
28	Canon imageRUNNER® Advance DX4735i	GPR-57

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1	Canon imageRUNNER® Advance DX4745i	GPR-57
2	Canon imageRUNNER® Advance DX4751i	GPR-57
3	Canon imageRUNNER® Advance C256iF II, C256iF III	GPR-58
4	Canon imageRUNNER® Advance C356iF II, C356iF III	GPR-58
5	Canon imageRUNNER® Advance DX C257iF	GPR-58
6	Canon imageRUNNER® Advance DX C357iF	GPR-58
7	Canon imageRUNNER® 2630	GPR-62

8 25. Non-limiting examples of Accused Products sold by Defendant that
 9 infringe the Asserted Patents include those bearing the designations CCGPR51K,
 10 CCGPR51C, CCGPR51M, CCGPR51Y, CCGPR53K, CCGPR53M.

11 26. A non-limiting example of an infringing toner supply container
 12 imported and/or sold by Defendant is model CCGPR53K, depicted below.



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1 **First Cause of Action: Infringement of U.S. Patent No. 8,565,649**

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

4 28. Defendant has directly infringed and is directly infringing the '649
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 '649 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, 2, 6, 7, 12,
10 25, and 26 of the '649 patent.

11 29. Defendant also is indirectly infringing the '649 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 '649 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 30. Attached hereto as Exhibit 1, and incorporated by reference herein, is
21 a claim chart detailing how Defendant's CCGPR53K toner supply container, which
22 is a representative example of an Accused Product, infringes independent claim 1
23 of the '649 patent.

24 31. The Court has not yet construed the meaning of any claims or terms in
25 the '649 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 32. Canon contends that each element of each asserted claim is literally
3 present in the accused toner supply container. 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 33. 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 '649 patent.

14 34. 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 **Second Cause of Action: Infringement of U.S. Patent No. 9,354,551**

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

20 36. Defendant has directly infringed and is directly infringing the '551
21 patent by selling and/or offering to sell within the United States and/or importing
22 into the United States the Accused Products embodying the invention defined by
23 one or more claims of the '551 patent, without authority of Canon. More
24 particularly, Defendant's sale and/or offer for sale in the United States and/or
25 importation into the United States of the Accused Products infringes at least claims
26 1-7 of the '551 patent.

27 37. Defendant also is indirectly infringing the '551 patent at least by
28 virtue of its inducement of direct infringement of that patent by customers who use

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 '551 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 38. Attached hereto as Exhibit 2, and incorporated by reference herein, is
9 a claim chart detailing how Defendant's CCGPR53K toner supply container, which
10 is a representative example of an Accused Product, infringes independent claim 1
11 of the '551 patent.

12 39. The Court has not yet construed the meaning of any claims or terms in
13 the '551 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 40. Canon contends that each element of each asserted claim is literally
19 present in the accused toner supply container. 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 41. 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

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1 '551 patent.

2 42. 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 **Third Cause of Action: Infringement of U.S. Patent No. 9,753,402**

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

8 44. Defendant has directly infringed and is directly infringing the '402
9 patent by selling and/or offering to sell within the United States and/or importing
10 into the United States the Accused Products embodying the invention defined by
11 one or more claims of the '402 patent, without authority of Canon. More
12 particularly, Defendant's sale and/or offer for sale in the United States and/or
13 importation into the United States of the Accused Products infringes at least claims
14 1, 15-18, 22, 23, 25-27, 32, 36, 37, 39-41, and 46 of the '402 patent.

15 45. Defendant also is indirectly infringing the '402 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 '402 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 46. Attached hereto as Exhibit 3, and incorporated by reference herein, is
25 a claim chart detailing how Defendant's CCGPR53K toner supply container, which
26 is a representative example of an Accused Product, infringes independent claim 1
27 of the '402 patent.

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

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1 the '402 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 48. 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 49. 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 '402 patent.

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

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

24 52. Defendant has directly infringed and is directly infringing the '667
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 '667 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, 12,
2 14, 17-19, and 23 of the '667 patent.

3 53. Defendant also is indirectly infringing the '667 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 '667 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 54. Attached hereto as Exhibit 4, and incorporated by reference herein, is
13 a claim chart detailing how Defendant's CCGPR53K toner supply container, which
14 is a representative example of an Accused Product, infringes independent claim 1
15 of the '667 patent.

16 55. The Court has not yet construed the meaning of any claims or terms in
17 the '667 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 56. 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 57. 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 ’667 patent.

6 58. 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 **Fifth Cause of Action: Infringement of U.S. Patent No. 10,289,060**

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

12 60. Defendant has directly infringed and is directly infringing the ’060
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 ’060 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, 6-8, 11, 12,
18 and 16-18 of the ’060 patent.

19 61. Defendant also is indirectly infringing the ’060 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 ’060 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 62. Attached hereto as Exhibit 5, and incorporated by reference herein, is

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1 a claim chart detailing how Defendant’s CCGPR53K toner supply container, which
2 is a representative example of an Accused Product, infringes independent claim 1
3 of the ’060 patent.

4 63. The Court has not yet construed the meaning of any claims or terms in
5 the ’060 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 64. 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 65. 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 ’060 patent.

22 66. 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 **Sixth Cause of Action: Infringement of U.S. Patent No. 10,289,061**

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

28 68. Defendant has directly infringed and is directly infringing the ’061

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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 '061 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 1-3, 6-8, 11-14,
6 17-19, and 23 of the '061 patent.

7 69. Defendant also is indirectly infringing the '061 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 '061 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 70. Attached hereto as Exhibit 6, and incorporated by reference herein, is
17 a claim chart detailing how Defendant's CCGPR53K toner supply container, which
18 is a representative example of an Accused Product, infringes independent claim 1
19 of the '061 patent.

20 71. The Court has not yet construed the meaning of any claims or terms in
21 the '061 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 72. 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 73. 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 '061 patent.

10 74. 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 **Seventh Cause of Action: Infringement of U.S. Patent No. 10,295,957**

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

16 76. Defendant has directly infringed and is directly infringing the '957
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 '957 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, 2, 4, 7-9, 12-
22 14, 16, 19-21, and 25 of the '957 patent.

23 77. Defendant also is indirectly infringing the '957 patent at least by
24 virtue of its inducement of direct infringement of that patent by customers who use
25 Defendant's Accused Products in at least the Canon copy machines listed above.
26 At the very latest, Defendant will be given notice of the '957 patent and its
27 infringement thereof upon being served with or otherwise receiving this
28 Complaint. On information and belief, Defendant knowingly induces customers to

1 use its Accused Products, including, for example, by promoting them for use in
2 specific copy machines and/or providing customers with instructions for using
3 them in those copy machines.

4 78. Attached hereto as Exhibit 7, and incorporated by reference herein, is
5 a claim chart detailing how Defendant's CCGPR53K toner supply container, which
6 is a representative example of an Accused Product, infringes independent claim 1
7 of the '957 patent.

8 79. The Court has not yet construed the meaning of any claims or terms in
9 the '957 patent. In providing these detailed allegations, Canon does not intend to
10 convey or imply any particular claim construction or the precise scope of the
11 claims. Canon's contentions regarding the construction of the claims will be
12 provided in compliance with the case schedule, any applicable federal or local
13 procedural rules, and/or any applicable orders.

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

21 81. Defendant's acts complained of herein are damaging and will
22 continue to cause irreparable injury and damage to Canon for which there is no
23 adequate remedy at law. Canon is therefore entitled to preliminary and permanent
24 injunctions restraining and enjoining Defendant from infringing the claims of the
25 '957 patent.

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

Eighth Cause of Action: Infringement of U.S. Patent No. 10,488,814

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

84. Defendant has directly infringed and is directly infringing the '814 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 '814 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, 4, 7-9, 12, 13, 16, 19-21, and 25 of the '814 patent.

85. Defendant also is indirectly infringing the '814 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 '814 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.

86. Attached hereto as Exhibit 8, and incorporated by reference herein, is a claim chart detailing how Defendant's CCGPR53K toner supply container, which is a representative example of an Accused Product, infringes independent claim 1 of the '814 patent.

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

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1 procedural rules, and/or any applicable orders.

2 88. 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 89. 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 90. 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 **Ninth Cause of Action: Infringement of U.S. Patent No. 10,496,032**

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

20 92. 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 93. Defendant also is indirectly infringing the ’032 patent at least by

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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 94. Attached hereto as Exhibit 9, and incorporated by reference herein, is
10 a claim chart detailing how Defendant's CCGPR53K toner supply container, which
11 is a representative example of an Accused Product, infringes independent claim 1
12 of the '032 patent.

13 95. The Court has not yet construed the meaning of any claims or terms in
14 the '032 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 96. 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 97. 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 '032 patent.

3 98. 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 **Tenth Cause of Action: Infringement of U.S. Patent No. 10,496,033**

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

9 100. Defendant has directly infringed and is directly infringing the '033
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 '033 patent, without authority 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 26-28 of the '033 patent.

16 101. Defendant also is indirectly infringing the '033 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 '033 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.

25 102. Attached hereto as Exhibit 10, and incorporated by reference herein,
26 is a claim chart detailing how Defendant's CCGPR53K toner supply container,
27 which is a representative example of an Accused Product, infringes independent
28 claim 1 of the '033 patent.

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1 103. The Court has not yet construed the meaning of any claims or terms in
2 the '033 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.

7 104. 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.

14 105. 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 '033 patent.

19 106. 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 **Eleventh Cause of Action: Infringement of U.S. Patent No. 10,514,654**

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

25 108. Defendant has directly infringed and is directly infringing the '654
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 '654 patent, without authority of Canon. More particularly,

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, 3-5, 8, 10-12,
3 46, 48-50, 53, and 55-57 of the '654 patent.

4 109. Defendant also is indirectly infringing the '654 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 '654 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.

13 110. Attached hereto as Exhibit 11, and incorporated by reference herein,
14 is a claim chart detailing how Defendant's CCGPR53K toner supply container,
15 which is a representative example of an Accused Product, infringes independent
16 claim 1 of the '654 patent.

17 111. The Court has not yet construed the meaning of any claims or terms in
18 the '654 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.

23 112. 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.

2 113. 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 ’654 patent.

7 114. 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 **Twelfth Cause of Action: Infringement of U.S. Patent No. 10,520,881**

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

13 116. Defendant has directly infringed and is directly infringing the ’881
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 ’881 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, 5, 8-10, 13,
19 14, 18, 21-23, and 25 of the ’881 patent.

20 117. Defendant also is indirectly infringing the ’881 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 ’881 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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1 118. Attached hereto as Exhibit 12, and incorporated by reference herein,
2 is a claim chart detailing how Defendant’s CCGPR53K toner supply container,
3 which is a representative example of an Accused Product, infringes independent
4 claim 1 of the ’881 patent.

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

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

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

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

26 **Thirteenth Cause of Action: Infringement of U.S. Patent No. 10,520,882**

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

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

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

17 126. Attached hereto as Exhibit 13, and incorporated by reference herein,
18 is a claim chart detailing how Defendant's CCGPR53K toner supply container,
19 which is a representative example of an Accused Product, infringes independent
20 claim 1 of the '882 patent.

21 127. The Court has not yet construed the meaning of any claims or terms in
22 the '882 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.

27 128. 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.

6 129. 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 '882 patent.

11 130. 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 **Prayer for Relief**

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

16 A. That Defendant has infringed the Asserted Patents;

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

22 C. That Defendant be ordered to pay damages adequate to compensate
23 Canon for Defendant's infringement of the Asserted Patents pursuant to 35 U.S.C.
24 § 284, including lost profits and/or a reasonable royalty, together with interest
25 thereon;

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

28 E. That Canon be granted such other and additional relief as the Court

1 deems equitable, just, and proper.

2 **Jury Demand**

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

5
6 Dated: March 8, 2021

VENABLE LLP

7
8 /s/ Sarah S. Brooks

9 Sarah S. Brooks

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

11 *Attorneys for Plaintiff Canon Inc.*

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