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

10 CANON INC., a Japanese corporation,  
11 Plaintiff,  
12 v.  
13 NAR CARTRIDGES, a California  
14 sole proprietorship,  
15 Defendant.

Case No. 3:21-cv-1646

**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 NAR Cartridges (“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 other district courts against the other  
12 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, NAR Cartridges is a sole proprietorship  
21 owned by Mete Nar, with its principal place of business located at 1011 Capuchino  
22 Ave., Burlingame, California 94010-3649.

23 5. On information and belief, Defendant conducts activities via the  
24 internet at least through its “NAR Cartridges” storefront on *Amazon.com*.

25 **Jurisdiction and Venue**

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



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 14. On December 3, 2019, U.S. Patent No. 10,496,032 (the “’032  
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 15. On December 3, 2019, U.S. Patent No. 10,496,033 (the “’033  
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 16. On December 24, 2019, U.S. Patent No. 10,514,654 (the “’654  
12 patent”), titled “Developer Supply Container and Developer Supplying System,”  
13 duly and legally issued to Canon as assignee of the inventors, Manabu Jimba,  
14 Ayatomo Okino, Katsuya Murakami, Toshiaki Nagashima, and Fumio Tazawa.

15 17. On December 31, 2019, U.S. Patent No. 10,520,881 (the “’881  
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 18. On December 31, 2019, U.S. Patent No. 10,520,882 (the “’882  
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 19. Canon is the sole owner of the entire right, title, and interest in and to  
24 the ’667, ’060, ’061, ’957, ’814, ’032, ’033, ’654, ’881, and ’882 patents  
25 (collectively, “Asserted Patents”), including the right to sue and recover for any  
26 and all infringements thereof.

27 20. The Asserted Patents are valid and enforceable.  
28

**Defendant's Infringing Activities**

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

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

1	Canon imageRUNNER® Advance C5560i, C5560i II, C5560i III	GPR-55/GPR-55L
2	Canon imageRUNNER® Advance DX C5735i	GPR-55/GPR-55L
3	Canon imageRUNNER® Advance DX C5740i	GPR-55/GPR-55L
4	Canon imageRUNNER® Advance DX C5750i	GPR-55/GPR-55L
5	Canon imageRUNNER® Advance DX C5760i	GPR-55/GPR-55L
6	Canon imageRUNNER® Advance 4525i, 4525i II, 4525i III	GPR-57
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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

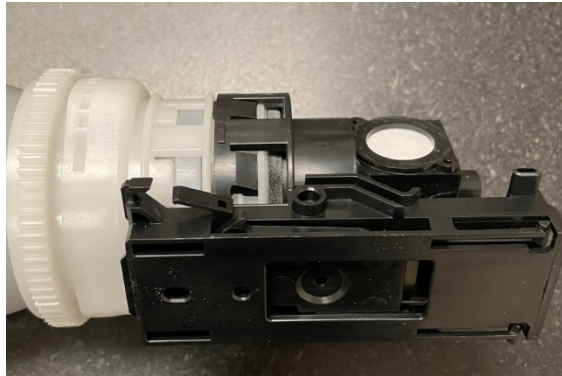
22. Non-limiting examples of Accused Products sold by Defendant that infringe the Asserted Patents include those bearing the designations D28CAC250BA-K, D28CAC250CA-K, D28CAC250MA-K, and D28CAC250YA-K.

23. A non-limiting example of an infringing toner supply container imported and/or sold by Defendant is model D28CAC250BA-K, depicted below.



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**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 Defendant's Accused Products in at least the Canon copy machines listed above.

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

7 27. Attached hereto as Exhibit 1, and incorporated by reference  
8 herein, is a claim chart detailing how Defendant's D28CAC250BA-K toner  
9 supply container, which is a representative example of an Accused Product,  
10 infringes independent claim 1 of the '667 patent.

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

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

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



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

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

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

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

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

23 35. Attached hereto as Exhibit 2, and incorporated by reference herein, is  
24 a claim chart detailing how Defendant’s D28CAC250BA-K toner supply  
25 container, which is a representative example of an Accused Product, infringes  
26 independent claim 1 of the ’060 patent.

27 36. The Court has not yet construed the meaning of any claims or terms in  
28 the ’060 patent. In providing these detailed allegations, Canon does not intend to

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

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

12 38. Defendant's acts complained of herein are damaging and will  
13 continue to cause irreparable injury and damage to Canon for which there is  
14 no adequate remedy at law. Canon is therefore entitled to preliminary and  
15 permanent injunctions restraining and enjoining Defendant from infringing  
16 the claims of the '060 patent.

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

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

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

23 41. Defendant has directly infringed and is directly infringing the  
24 '061 patent by selling and/or offering to sell within the United States and/or  
25 importing into the United States Accused Products embodying the invention  
26 defined by one or more claims of the '061 patent, without authority of  
27 Canon. More particularly, Defendant's sale and/or offer for sale in the  
28 United States and/or importation into the United States of the Accused

1 Products infringes at least claims 1-3, 6-8, 11-14, 17-19, and 23 of the '061 patent.

2 42. Defendant also is indirectly infringing the '061 patent at least by  
3 virtue of its inducement of direct infringement of that patent by customers who use  
4 Defendant's Accused Products in at least the Canon copy machines listed above.  
5 At the very latest, Defendant will be given notice of the '061 patent and its  
6 infringement thereof upon being served with or otherwise receiving this  
7 Complaint. On information and belief, Defendant knowingly induces customers to  
8 use its Accused Products, including, for example, by promoting them for use in  
9 specific copy machines and/or providing customers with instructions for using  
10 them in those copy machines.

11 43. Attached hereto as Exhibit 3, and incorporated by reference herein, is  
12 a claim chart detailing how Defendant's D28CAC250BA-K toner supply  
13 container, which is a representative example of an Accused Product, infringes  
14 independent claim 1 of the '061 patent.

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

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

28 46. Defendant's acts complained of herein are damaging and will

1 continue to cause irreparable injury and damage to Canon for which there is  
2 no adequate remedy at law. Canon is therefore entitled to preliminary and  
3 permanent injunctions restraining and enjoining Defendant from infringing  
4 the claims of the '061 patent.

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

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

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

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

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

1           51. Attached hereto as Exhibit 4, and incorporated by reference herein, is  
2 a claim chart detailing how Defendant’s D28CAC250BA-K toner supply  
3 container, which is a representative example of an Accused Product, infringes  
4 independent claim 1 of the ’957 patent.

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

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

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

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1           57. Defendant has directly infringed and is directly infringing the  
2 '814 patent by selling and/or offering to sell within the United States and/or  
3 importing into the United States Accused Products embodying the invention  
4 defined by one or more claims of the '814 patent, without authority of  
5 Canon. More particularly, Defendant's sale and/or offer for sale in the  
6 United States and/or importation into the United States of the Accused  
7 Products infringes at least claims 1, 4, 7-9, 12, 13, 16, 19-21, and 25 of the  
8 '814 patent.

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

19           59. Attached hereto as Exhibit 5, and incorporated by reference  
20 herein, is a claim chart detailing how Defendant's D28CAC250BA-K toner  
21 supply container, which is a representative example of an Accused Product,  
22 infringes independent claim 1 of the '814 patent.

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



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

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

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

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

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

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

27           66. Defendant also is indirectly infringing the ’032 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  
2 above. At the very latest, Defendant will be given notice of the '032 patent  
3 and its infringement thereof upon being served with or otherwise receiving  
4 this Complaint. On information and belief, Defendant knowingly induces  
5 customers to use its Accused Products, including, for example, by promoting  
6 them for use in specific copy machines and/or providing customers with  
7 instructions for using them in those copy machines.

8 67. Attached hereto as Exhibit 6, and incorporated by reference  
9 herein, is a claim chart detailing how Defendant's D28CAC250BA-K toner  
10 supply container, which is a representative example of an Accused Product,  
11 infringes independent claim 1 of the '032 patent.

12 68. The Court has not yet construed the meaning of any claims or  
13 terms in the '032 patent. In providing these detailed allegations, Canon does  
14 not intend to convey or imply any particular claim construction or the  
15 precise scope of the claims. Canon's contentions regarding the construction  
16 of the claims will be provided in compliance with the case schedule, any  
17 applicable federal or local procedural rules, and/or any applicable orders.

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

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

1 the claims of the '032 patent.

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

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

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

15 74. Defendant also is indirectly infringing the '033 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 '033 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 75. Attached hereto as Exhibit 7, and incorporated by reference herein, is  
25 a claim chart detailing how Defendant's D28CAC250BA-K toner supply  
26 container, which is a representative example of an Accused Product, infringes  
27 independent claim 1 of the '033 patent.

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

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1 the '033 patent. In providing these detailed allegations, Canon does not  
2 intend to convey or imply any particular claim construction or the precise  
3 scope of the claims. Canon's contentions regarding the construction of the  
4 claims will be provided in compliance with the case schedule, any applicable  
5 federal or local procedural rules, and/or any applicable orders.

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

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

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

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

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

24 81. Defendant has directly infringed and is directly infringing the  
25 '654 patent by selling and/or offering to sell within the United States and/or  
26 importing into the United States Accused Products embodying the invention  
27 defined by one or more claims of the '654 patent, without authority of  
28 Canon. More particularly, Defendant's sale and/or offer for sale in the

1 United States and/or importation into the United States of the Accused Products  
2 infringes at least claims 1, 3-5, 8, 10-12, 46, 48-50, 53, and 55-57 of the '654  
3 patent.

4 82. 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 83. Attached hereto as Exhibit 8, and incorporated by reference herein, is  
14 a claim chart detailing how Defendant's D28CAC250BA-K toner supply  
15 container, which is a representative example of an Accused Product, infringes  
16 independent claim 1 of the '654 patent.

17 84. 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 85. 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 86. Defendant's acts complained of herein are damaging and will  
3 continue to cause irreparable injury and damage to Canon for which there is  
4 no adequate remedy at law. Canon is therefore entitled to preliminary and  
5 permanent injunctions restraining and enjoining Defendant from infringing  
6 the claims of the '654 patent.

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

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

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

13 89. Defendant has directly infringed and is directly infringing the  
14 '881 patent by selling and/or offering to sell within the United States and/or  
15 importing into the United States Accused Products embodying the invention  
16 defined by one or more claims of the '881 patent, without authority of  
17 Canon. More particularly, Defendant's sale and/or offer for sale in the  
18 United States and/or importation into the United States of the Accused  
19 Products infringes at least claims 1, 5, 8-10, 13, 14, 18, 21-23, and 25 of the  
20 '881 patent.

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

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1 providing customers with instructions for using them in those copy machines.

2 91. Attached hereto as Exhibit 9, and incorporated by reference herein, is  
3 a claim chart detailing how Defendant's D28CAC250BA-K toner supply  
4 container, which is a representative example of an Accused Product, infringes  
5 independent claim 1 of the '881 patent.

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

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

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

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

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

28 96. Canon repeats and incorporates by reference the allegations of

1 paragraphs 1-23, as though set forth here in their entirety.

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

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

19 99. Attached hereto as Exhibit 10, and incorporated by reference  
20 herein, is a claim chart detailing how Defendant's D28CAC250BA-K toner  
21 supply container, which is a representative example of an Accused Product,  
22 infringes independent claim 1 of the '882 patent.

23 100. The Court has not yet construed the meaning of any claims or  
24 terms in the '882 patent. In providing these detailed allegations, Canon does  
25 not intend to convey or imply any particular claim construction or the  
26 precise scope of the claims. Canon's contentions regarding the construction  
27 of the claims will be provided in compliance with the case schedule, any  
28 applicable federal or local procedural rules, and/or any applicable orders.



1 this action; and

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

4 **Jury Demand**

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

7 Dated: March 8, 2021

8 VENABLE LLP

9 /s/ Sarah S. Brooks

10 Sarah S. Brooks

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

13 *Attorneys for Plaintiff Canon Inc.*

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