

**UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.**

In the Matter of

**CERTAIN INK CARTRIDGES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-_____

**COMPLAINT OF EPSON PORTLAND INC.,
EPSON AMERICA, INC. AND SEIKO EPSON CORPORATION
UNDER SECTION 337 OF THE TARIFF ACT OF 1930**

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65	Certified Copy of U.S. Patent No. 9,370,934
66	Certified Copy of U.S. Patent No. 11,535,038
67	Certified Copy of U.S. Patent No. 12,240,248
68	Certified Copy of U.S. Patent No. 12,240,249
69	Assignment of U.S. Patent No. 8,764,172 and U.S. Patent No. 9,370,934 to Seiko Epson Corporation
70	Assignment of U.S. Patent No. 11,535,038, U.S. Patent No. 12,240,248, and U.S. Patent No. 12,240,249 to Seiko Epson Corporation
71	List of Counterparts to U.S. Patent No. 8,764,172, U.S. Patent No. 9,370,934
72	List of Counterparts to U.S. Patent No. 11,535,038, U.S. Patent No. 12,240,248, U.S. Patent No. 12,240,249
73	Confidential List of Licensees Under the Asserted Patents
74	Confidential License from Seiko Epson Corporation to Epson Portland Inc.
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TABLE OF APPENDICES

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I	Certified Copy of U.S. Patent No. 8,764,172 Prosecution History
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I. INTRODUCTION

1. This Complaint is filed by Complainants Epson Portland Inc., Epson America, Inc. and Seiko Epson Corporation pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, based upon the unlawful importation into the United States, the sale for importation and/or the sale within the United States after importation, of certain unauthorized, aftermarket ink cartridges, and components thereof (hereinafter sometimes referred to as "Accused Ink Cartridge Products" or "Accused Products") by proposed respondents Dongguan Ocbestjet Digital Technology Co., Ltd.; Ocbestjet Printer Consumables (HK) Co., Ltd.; Tatrix International China Co., Ltd.; Luozi Trading Co., Ltd.; Shenzhen Hongxinyuan E-Commerce Co., Ltd.; Shenzhen Kaizhen Technology Co., Ltd.; Zhuhai Zhenyang Electronics Co., Ltd.; Shangrao Shixuan E-Commerce Co., Ltd.; Zhuhai Hengyunda Electronics Co., Ltd.; Zhuhai Rongtaida Electronics Co., Ltd.; Zhuhai Shi Wei Tai Electronics Co., Ltd.; Zhuhai Yixing Electronics Co., Ltd.; Mountain Peak, Inc.; Mei Jin Technology HK Co., Limited; ZhuHai MeiJiAn Trading Co., Ltd.; Qiong Wang; Shen Zhen Sailing Technology Limited; Zhuhai Shuofeng E-commerce Co., Ltd.; Zhuhai Bowang Technology Co., Ltd.; and Straightouttink, LP (collectively, the "Proposed Respondents"). The Accused Ink Cartridge Products infringe one or more of the following claims of the following United States Patents (hereinafter these patents are sometimes collectively referred to as the "Asserted Patents" and the listed claims are sometimes referred to as the "Asserted Claims"):

- Claims 1-3, 7-8, and 10 of U.S. Patent No. 8,764,172 ("the '172 patent");
- Claims 1, 7-8, and 10 of U.S. Patent No. 9,370,934 ("the '934 patent");
- Claims 1, 7, 12, 17, 19-20, and 24 of U.S. Patent No. 11,535,038 ("the '038 patent");
- Claims 1, 7, 13, 15, and 20-21 of U.S. Patent No. 12,240,248 ("the '248 patent"); and

- Claims 1-2, 7-8, 13-15, and 20-22 of U.S. Patent No. 12,240,249 ("the '249 patent").¹

2. Complainants seek, as relief, a general exclusion order, or, alternatively, a limited exclusion order, barring from entry into the United States infringing ink cartridges and components thereof. Complainants also seek, as relief, cease and desist orders prohibiting the importation, sale for importation, marketing, and/or advertising, distribution, offer for sale, sale, use after importation, sale after importation, packaging, or transfer within the United States of ink cartridges or components thereof that infringe the claims of the Asserted Patents.

II. THE PARTIES

A. Complainants

3. Seiko Epson Corporation ("SEC") is a corporation organized and existing the laws of Japan with its principal place of business at 3-3-5 Owa, Suwa-Shi, Nagano-Ken, 392-8502, Japan. SEC is the assignee and owner of the Asserted Patents. Certified copies of the assignments to SEC for each of the Asserted Patents are collectively attached as Exhibits 69-70.

4. Epson Portland Inc. ("Epson Portland") is an Oregon corporation with its principal place of business located at 3950 NE Alcock Drive, Hillsboro, Oregon 97124. Epson Portland manufactures Epson ink cartridges that are distributed throughout the United States by Epson America, Inc. Epson Portland has the exclusive right in the United States to manufacture ink cartridges that utilize the Asserted Patents, pursuant to a license (and an amendment to the license)

¹ Complainants are concurrently filing another Complaint against the same Proposed Respondents, with respect to U.S. Patent No. 8,540,347 ("the '347 patent"); U.S. Patent No. 9,061,508 ("the '508 patent"); U.S. Patent No. 11,535,037 ("the '037 patent"); U.S. Patent No. 11,820,150 ("the '150 patent"); and U.S. Patent No. 12,246,939 ("the '539 patent"), as applied to certain aftermarket ink cartridges, and components thereof. The Complaints concern related technology and many of the same ink cartridges and components thereof, and many portions of the Complaints are the same. To provide full context, this Complaint also discusses the patents and products at issue in the other Complaint.

from SEC. A copy of the license and amendment are attached hereto as Confidential Exhibits 74 and 75, respectively.

5. Epson America, Inc. ("Epson America") is a California corporation with its principal place of business at 3131 Katella Avenue, Los Alamitos, CA 90720. Epson America is responsible for sales, marketing and customer service of Epson ink cartridges throughout the United States. Epson America has the exclusive right in the United States to market and sell ink cartridges that utilize the Asserted Patents, pursuant to a license from SEC. A copy of that license is attached hereto as Confidential Exhibit 76.

B. Proposed Respondents

1. Ocbestjet Group Proposed Respondents

6. On information and belief, proposed respondents Dongguan Ocbestjet Digital Technology Co., Ltd. ("Dongguan Ocbestjet") and Ocbestjet Printer Consumables (HK) Co., Ltd. ("Ocbestjet HK") are related companies, under common ownership and control and part of a common enterprise known as the "Ocbestjet Group" or "Ocbestjet." *See* Confidential Declaration of Brian Seitz submitted herewith as Exhibit 1 (hereinafter, the "Seitz Decl." or "Seitz Declaration") ¶¶ 13-21 and Exhs. 1.1-1.9.

7. Ocbestjet HK was a named respondent in an ITC action entitled *In the Matter of CERTAIN INK CARTRIDGES AND COMPONENTS THEREOF*, Investigation No. 337-TA-946, United States International Trade Commission, Washington D.C., which was adjudicated in a final determination (Commission Opinion, May 26, 2016) (the "ITC 946 Investigation") and in which the Commission issued a General Exclusion Order and certain Cease and Desist Orders that included United States Patent No. 8,794,749 ("the '749 patent"), including a Cease and Desist Order against Respondent Dongguan Ocbestjet. *See* Seitz Decl. ¶¶ 14-15, and Exhs. 1.1-1.3.

Additionally, on September 9, 2019, the ITC issued a seizure and forfeiture order against Dongguan Ocbestjet with respect to the importation of articles covered by the Commission's May 2016 general exclusion order issued in *Certain Ink Cartridges and Components Thereof*, Inv. No. 337-TA-946. *See id.* at 15, and Exh. 1.3.

8. On September 9, 2019, the International Trade Commission issued a seizure and forfeiture order against Dongguan Ocbestjet and "any affiliated companies, parents, subsidiaries, or other related business entities, or any of their successors or assigns," which would include Ocbestjet HK, concerning articles found by Customs and Border Protection to be in violation of the general exclusion order issued in Investigation No. 337-TA-946. *See id.*

9. On June 15, 2022, Dongguan Ocbestjet and Ocbestjet HK were sued by Complainants in United States District Court for the Central District of California, Western Division for patent infringement of United States Patent No. 6,955,422 ("the '422 patent"), United States Patent No. 8,794,749 ("the '749 patent"), and United States Patent No. 8,454,16 ("the '116 patent") due to their sales, offering to sell, importation, and sale after importation of ink cartridge products. *See* Seitz Decl. ¶ 16 and Exh. 1.4. On May 12, 2023, a Final Judgment, Including Permanent Injunction, Against Defendants Dongguan Ocbestjet and Ocbestjet HK was issued permanently enjoining the Ocbestjet Group, their officers and directors, agents, servants, employees, attorneys, distributors, and affiliates from sale of aftermarket ink cartridges and any other acts that directly or indirectly infringe any of the claims of the '422 patent, '749 patent, or the '116 patent, and from causing, inducing or contributing to the infringement of any of the claims of the Asserted Patents. *See id.* at ¶ 16 and Exh. 1.5.

i. Dongguan Ocbestjet

10. On information and belief, proposed respondent Dongguan Ocbestjet is a company organized and existing under the laws of China, with a business address at B-3-302 Guancheng Electronic Information Industrial Park, No 689 Jian'an Road, Shatou Community, Chang'an Town, Dongguan City, China. *See id.* at ¶ 17, and Exh. 1.1 at p. 3; Exh. 1.4 at ¶ 18; Exh. 1.6 at p. 1. On information and belief, Dongguan Ocbestjet is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products. *See* Seitz Decl. ¶¶ 20-35, and Exhs. 1.9-1.21.

11. On information and belief, Dongguan Ocbestjet offers for sale and sells Accused Ink Cartridge Products on their online seller stores on *Alibaba.com* and *AliExpress.com*. *See id.* at ¶¶ 18-35, and Exhs. 1.10-1.21.

ii. Ocbestjet HK

12. On information and belief, proposed respondent OcBestjet HK is a company organized and existing under the laws of Hong Kong, with a business address at RM 2301, 23 F/L, Worldwide House, 19 Des Voeux Road Central, Hong Kong. *See id.* at ¶ 19, and Exh. 1.1 at pp. 3-4, Exh. 1.8 at p. 4; Exh. 1.3 at p. 2, Exh. 1.4 at ¶ 19. On information and belief, Ocbestjet HK is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products. *See id.* at ¶¶ 19-35, and Exhs. 1.9-1.21.

13. On information and belief, Ocbestjet HK offers for sale and sells Accused Ink Cartridge Products on their online seller stores on *Alibaba.com* and *AliExpress.com*. *See* Seitz Decl. ¶¶ 23-35, and Exhs. 1.10-1.21.

14. On information and belief, the Ocbestjet Group operates a website *www.ocbinks.com* on which it offers for sale and sells Accused Ink Cartridge Products made in China. *See* Seitz Decl. ¶ 21 and Exh. 1.9.

2. Tatrix International China Co., Ltd.

15. On information and belief, proposed respondent, Tatrix International China Co., Ltd. ("Tatrix") is a limited company organized and existing under the laws of China with a business address at 12th/F, Nanyufeng Building 3, No. 6, Pingbei 1st Road, Nanping Science Industrial Park, Xiangzhou, Zhuhai, Guangdong, China 51906. *See* Seitz Decl. ¶ 36, and Exh. 1.22 at pp. 3, 13, 15, 17, 20. On information and belief, Tatrix also has another address from which it ships products from China to the U.S., which is 7th/F, Nanyufeng Bldg 3, No. 6 Pingbei 1st Rd, Nanping Science Industrial Park, Xiangzhou, Zhuhai, Guangdong, China 519000. *See id.* at ¶¶ 39-41, and Exh. 1.24 at p. 15, Exh. 1.25 at p. 15, and Exh. 1.26 at p. 16. On information and belief, Tatrix is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products. *See id.* at ¶¶ 37-41, and Exh. 1.22 at pp. 5-9, 13, 18; Exhs. 1.23-1.26.

16. On information and belief, Tatrix sells Accused Ink Cartridge Products manufactured in China on *www.aliexpress.com* and ships them directly to consumers in the United States. *See id.* at ¶¶ 38-41, and Exhs. 1.23-1.26.

3. Luozhi Trading Co., Ltd.

17. On information and belief, proposed respondent Luozhi Trading Co., Ltd. ("Luozhi") is a limited company organized and existing under the laws of China with a business address at Room 101, 1F #13 Xiang, Wusi Zhong, Guanzhou, GD 510800, China. *See* Seitz Decl. ¶ 42, and Exh. 1.27. On information and belief, Luozhi is engaged in the manufacture, importation

into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products. *See id.* at ¶¶ 43-47, and Exhs. 1.27-1.30.

18. On information and belief Luozhi, doing business under the eBay seller name kaz8821 sells Accused Ink Cartridge Products manufactured in China on *www.ebay.com* and ships them directly to consumers in the United States. *See id.* at ¶¶ 44-47, and Exhs. 1.27-1.30.

4. Shenzhen Hongxinyuan E-commerce Co., Ltd

19. On information and belief, proposed respondent Shenzhen Hongxinyuan E-commerce Co., Ltd. ("Hongxinyuan") is a corporation organized and existing under the laws of China, with a business address at Chinese New Vil. Minzhi St. Longhua District, 301C1, Tianfuxing Building, Zhangkeng Overseas, Shenzhen, Guangdong, China 518000. *See* Seitz Decl. ¶¶ 48-49, and Exh. 1.31.

20. On information and belief, Hongxinyuan is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products. *See id.* at ¶¶ 50-53, and Exhs. 1.31-1.38.

21. On information and belief, and according to the U.S. Patent and Trademark Office, Hongxinyuan has applied for a U.S. trademark on the mark "Inktrack" (App. No. 98635149) for Toner; Filled ink jet cartridges; Filled toner cartridges; Filled toner cartridges for printers; Ink cartridges, filled, for printers; Ink jet printer ink; Toner cartridges, filled, for inkjet printers; Toner cartridges, filled, for printing machines; Toner for photocopiers. *See id.* at ¶ 49, and Exh. 1.31. The USPTO lists the owner of the trademark as Shenzhen Hongxinyuan E-commerce Co., Ltd, a China limited company. *See id.*

22. On information and belief, Hongxinyuan doing business under its dbas and/or seller names "Vi-US" and "Inktrack" offers for sale and sells Accused Ink Cartridge Products on *www.amazon.com*. *See id.* at ¶¶ 49-56, and Exhs. 1.31-1.38.

5. Shenzhen Kaizhen Technology Co., Ltd.

23. On information and belief, proposed respondent Shenzhen Kaizhen Technology Co., Ltd. ("Kaizhen Tech.") is a corporation organized and existing under the laws of China, with a business address at Room 302, unit B, Building 1, Haoya Garden, Fuqian Road, Guanlan Street, Longhua District, Shenzhen, Guangdong, China 51800. *See* Seitz Decl. at ¶ 57-58, and Exh. 1.39. On information and belief, Kaizhen Tech. is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products. *See id.* at ¶¶ 59-66, and Exhs. 1.40-1.46, 1.159.

24. On information and belief, and according to the U.S. Patent and Trademark Office, Kaizhen Tech. has a U.S. registered trademark on the mark "PayForLess" (Reg. No. 5708967) for Edible ink cartridges, filled, for printers; Edible inks; Engraving ink; Ink for leather; Ink for photocopiers; Ink for skin-dressing; Marking ink for animals; Printers' pastes; Printing ink; Toner cartridges, filled, for printers and photocopiers; Toner for copiers; Toner for photocopiers; Ink cartridges, filled, for printers; Inks, toners and dyes for use with or on textiles and fabrics; Toner cartridges, filled, for inkjet printers; Toner cartridges, filled, for laser printers. *See id.* at ¶ 58, and Exh. 1.39. The USPTO lists the owner of the trademark as Shenzhen Kaizhen Technology Co., Ltd., a China limited company. *See id.*

25. On information and belief, Kaizhen Tech. is doing business under the assumed name of PayForLess, which name Kaizhen Tech. also sometimes uses to brand its products. *See id.* at ¶¶ 58-66, and Exhs. 1.39-1.46, 1.159.

26. On information and belief, Kaizhen Tech. doing business under its dba and/or seller name "PayForLess" offers for sale and sells Accused Ink Cartridge Products on *www.amazon.com*. *See id.*

6. Zhuhai Zhenyang Electronics Co., Ltd.

27. On information and belief, proposed respondent Zhuhai Zhenyang Electronics Co., Ltd. ("Zhenyang Electronics") is a corporation organized and existing under the laws of China with a business address at Room 210, Unit 2, Building 2, No. 63 Xianghua Road, Xiangzhou District, Zhuhai, Guangdong, China 519001. *See* Seitz Decl. at ¶¶ 67-68, and Exh. 1.47. On information and belief, Zhenyang Electronics is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products. *See id.* at ¶¶ 69-75, and Exhs. 1.47-1.54.

28. On information and belief, and according to the U.S. Patent and Trademark Office, Zhenyang Electronics has applied for a U.S. trademark on the mark "OINKWERE" (App. No. 97221135) for Filled edible ink cartridges for printers; Filled ink cartridges; Filled ink jet cartridges; Ink cartridges, filled, for printers; Ink cartridges, filled, for printers and photocopiers; Toner cartridges, filled, for inkjet printers; Toner for copiers. *See id.* at ¶ 68, and Exh. 1.47. The USPTO lists the owner of the trademark as Zhuhai Zhenyang Electronics Co., Ltd., a China limited company. *See id.*

29. On information and belief, Zhenyang Electronics doing business under its dba's and/or seller name "Oinkwere" offers for sale and sells Accused Ink Cartridge Products on *www.amazon.com*. *See id.* at ¶¶ 69-75, and Exhs. 1.47-1.54. Zhenyang Electronics, on its amazon storefront represents itself as a Chinese company and in some instances has orders of Accused Products fulfilled by Amazon. *See id.*

7. Shangrao Shixuan E-commerce Co., Ltd.

30. On information and belief, proposed respondent Shangrao Shixuan E-commerce Co., Ltd. ("Shangrao") is a company organized and existing under the laws of China with a business address at 1-909, No. 32 Gandongbei Avenue, Zinzhou District, Shangrao, Jiangxi, China 334000. *See* Seitz Decl. ¶ 76, and Exh. 1.55. On information and belief, Shangrao is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products. *See id.* at ¶¶ 78-84, and Exhs. 1.56-1.61, 1.160.

31. On information and belief, and according Shangrao's representations to the U.S. Patent and Trademark Office, Shangrao has applied for a U.S. trademark on the mark "HOINKLO" (Reg. No. 7018421) for Filled ink cartridges for printers; Filled ink jet cartridges; Ink cartridges, filled, for printers; Ink cartridges, filled, for printers and photocopiers; Ink for printers; Toner cartridges, filled, for inkjet printers; Toner cartridges, filled, for laser printers; Toner cartridges, filled, for printing machines; Toner for printers. *See id.* at ¶ 77, and Exh. 1.55. The USPTO lists the owner of the trademark as Shangrao Shixuan E-commerce Co., Ltd., a China limited company. *See id.*

32. On information and belief, Shangrao doing business under its dbas and/or seller names "inkgo" and "hoinklo" offers for sale and sells Accused Ink Cartridge Products on *www.amazon.com*. *See id.* at ¶¶ 78-84, and Exhs. 1.56-1.61, 1.160.

8. Zhuhai Hengyunda Electronics Co., Ltd.

33. On information and belief, proposed respondent Zhuhai Hengyunda Electronics Co., Ltd. ("Hengyunda") is a company organized and existing under the laws of China with a business address at Hengqin, Room 804, Building 2, No. 88, Fumin Road, Zhuhai, China 519000.

See Seitz Decl. ¶¶ 85-86, and Exh. 1.62. On information and belief, Hengyunda is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products. *See id.* at ¶¶ 87-92, and Exhs. 1.63-1.67, 1.161.

34. On information and belief, and according to the U.S. Patent and Trademark Office, Hengyunda has applied for a U.S. trademark on the mark "Upriin" (Reg. No. 7515274) for Filled toner cartridges for photocopiers; Ink cartridges, filled, for printers; Toner cartridges, filled, for inkjet printers; Toner cartridges, filled, for laser printers; Toner cartridges, filled, for printers and photocopiers. *See id.* at ¶ 86 and Exh. 1.62. The USPTO lists the owner of the trademark as huhai Hengyunda Electronics Co., Ltd., a China limited company. *See id.*

35. On information and belief, Hengyunda doing business under its dba and/or seller name "upriin" offers for sale and sells Accused Ink Cartridge Products on *www.amazon.com*. *See id.* at ¶¶ 87-92, and Exhs. 1.63-1.67, 1.161.

9. Zhuhai Rongtaida Electronics Co., Ltd.

36. On information and belief, proposed respondent Zhuhai Rongtaida Electronics Co., Ltd. ("Rongtaida") is a company organized and existing under the laws of China with a business address at No.1, 9E, Taihe Business Center, No. 338, Ningxi Road, Xiangzhou, Zhuhai China 519000. *See* Seitz Decl. ¶ 93, and Exh. 1.68. On information and belief, Rongtaida is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products. *See id.* at ¶¶ 95-98, and Exhs. 1.69-1.72.

37. On information and belief, and according to the U.S. Patent and Trademark Office, Rongtaida has a U.S. registered trademark on the mark "Hookink" (Reg. No. 7253681) for Filled

edible ink cartridges for printers; Filled ink cartridges; Filled toner cartridges; Filled toner cartridges for photocopiers; Ink cartridges, filled, for printers; Ink for multifunction electronic devices for use in copying, printing, scanning, video capture or transmitting documents and images; Ink for photocopiers; Ink jet printer ink; Printers' ink; Printers' paste inks; Toner cartridges, filled, for inkjet printers; Toner cartridges, filled, for laser printers; Toner cartridges, filled, for printers and photocopiers; Toner for copiers; Toner for photocopiers; Toners. *See id.* at ¶ 94, and Exh. 1.68. The USPTO lists the owner of the trademark as Zhuhai Rongtaida Electronics Co., Ltd., a China limited company. *See id.*

38. On information and belief, Rongtaida doing business under its dba and/or seller name "hookink" offers for sale and sells Accused Ink Cartridge Products on *www.amazon.com*. *See id.* at ¶¶ 94-98, and Exhs. 1.65-1.72.

10. Zhuhai Shi Wei Tai Electronics Co., Ltd.

39. On information and belief, proposed respondent Zhuhai Shi Wei Tai Electronics Co., Ltd. ("Shi Wei Tai") is a company organized and existing under the laws of China with a business address at Room 527-1, 5th Floor, No. 5 Jingyuan Road, Jida, Zhuhai China 519000. *See* Seitz Decl. ¶¶ 99-100, and Exh. 1.73. On information and belief, Shi Wei Tai is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products. *See id.* at ¶¶ 101-104, and Exhs. 1.74-1.77.

40. On information and belief, and according to the U.S. Patent and Trademark Office, Rongtaida has a U.S. registered trademark on the mark "Ondula" (Reg. No. 7413568) for Toners; Filled edible ink cartridges for printers; Filled ink cartridges for printers; Filled toner cartridges; Filled toner cartridges for photocopiers; Ink cartridges, filled, for printers; Ink for multifunction

electronic devices for use in copying, printing, scanning, video capture or transmitting documents and images; Ink for photocopiers; Ink jet printer ink; Printers' ink; Printers' paste inks; Toner cartridges, filled, for inkjet printers; Toner cartridges, filled, for laser printers; Toner cartridges, filled, for printers and photocopiers; Toner for copiers; Toner for photocopiers. *See id.* at ¶ 100, and Exh. 1.73. The USPTO lists the owner of the trademark as Zhuhai Shi Wei Tai Electronics Co., Ltd., a China limited company. *See id.*

41. On information and belief, Shi Wei Tai doing business under its dba and/or seller name "Ondula-A" offers for sale and sells Accused Ink Cartridge Products on *www.amazon.com*. *See id.* at ¶¶ 101-104, and Exhs. 1.74-1.77.

11. Zhuhai Yixing Electronics Co., Ltd.

42. On information and belief, proposed respondent Zhuhai Yixing Electronics Co., Ltd. ("Yixing") is a company organized and existing under the laws of China with a business address at Room 9F-2, Taihe Commercial Center #338, Nigxi Road, Xiangzhou District, Shuhai, GuangDong, China 519000. *See* Seitz Decl. ¶¶ 105-106 and Exh. 1.78. On information and belief, Yixing is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products. *See id.* at ¶¶ 107-110, and Exhs. 1.79-1.82.

43. On information and belief, and according to the U.S. Patent and Trademark Office, Rongtaida has applied for a U.S. trademark on the mark "Greenjob" (Reg. No. 6535789 for Engraving ink; Filled ink jet cartridges; Filled toner cartridges; Filled toner cartridges for photocopiers; Filled toner cartridges for printers; Ink for leather; Marking ink for animals; Printers' pastes; Printing ink; Tattoo inks; Toner cartridges, filled, for inkjet printers; Toner cartridges, filled, for laser printers; Toner cartridges, filled, for printers and photocopiers; Toner for copiers.

See id. at ¶ 106, and Exh. 1.78. The USPTO lists the owner of the trademark as Zhuhai Yixing Electronics Co., Ltd., a China limited company. *See id.*

44. On information and belief, Yixing doing business under its dbas and/or seller names "USShop" and "Greenjob" offers for sale and sells Accused Ink Cartridge Products on *www.amazon.com*. *See id.* at ¶¶ 106-110, and Exhs. 1.78-1.82.

12. Mei Jin Technology HK Co., Ltd.

45. On information and belief, proposed respondent Mei Jin Technology HK Co., Ltd. ("Mei Jin") is a corporation organized and existing under the laws of Hong Kong, with a business address at Flat/Rm 1201 12/F Tai Sang Bank Building 130-132 Des, Voeux Road, Central and Wester District, 999077, Hong Kong, China. *See* Seitz Decl. ¶¶ 111-112, and Exhs. 1.83-1.84. On information and belief, Mei Jin is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products. *See id.* at ¶¶ 113-117, and Exhs. 1.85-1.87.

46. On information and belief, and according to the U.S. Patent and Trademark Office, Mei Jin has applied for a U.S. trademark on the mark "Ybfeir" (App. No. 98104603) for Filled ink cartridges; Filled ink cartridges for printers; Filled toner cartridges; Ink cartridges, filled, for printers; Toner cartridges, filled, for laser printers. *See id.* at ¶ 112, and Exh. 1.84. The USPTO lists the owner of the trademark as Fangli Liu, an individual and citizen of China. *See id.*

47. On information and belief, Mei Jin does business under its dba's and/or seller names "MJing" and "YBFeir" and offers for sale and sells Accused Ink Cartridge Products on its storefronts on *www temu.com* under its seller names MJing and Ybfeir. *See id.* at ¶¶ 112-117, and Exhs. 1.84-1.87.

48. On information and belief, Mei Jin is affiliated with proposed respondent Mountain Peak, in that Accused Ink Cartridge Products ordered from Mei Jin's online stores are fulfilled by and/or shipped by proposed respondent Mountain Peak. *See id.* at ¶¶ 115-116, and Exh. 1.86.

13. ZhuHai MeiJiAn Trading Co., Ltd.

49. On information and belief, proposed respondent Zhuhai MeiJiAn Trading Co., Ltd. ("ZhuHai MeiJiAn") is a corporation organized and existing under the laws of China, with a business address at RM 105-24777, No. 6 BaoHua Road, HengQuin New District, ZhuHai China 519000. *See* Seitz Decl. ¶¶ 118-119, and Exh. 1.88. On information and belief, ZhuHai MeiJiAn is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products. *See id.* at ¶¶ 120-128, and Exhs. 1.89-1.95.

50. On information and belief, and according to the U.S. Patent and Trademark Office, ZhuHai MeiJiAn has a U.S. registered trademark on the mark "HaloFox" (Reg. No. 5321400) for Ink cartridges, filled, for printers; Ink for multifunction electronic devices for use in copying, printing, scanning, video capture or transmitting documents and images; Ink-drying preparations sold as a component of inks; Printers' ink; Printers' pastes; Toner cartridges, filled, for inkjet printers; Toner cartridges, filled, for laser printers; Toner cartridges, filled, for printers and photocopiers; Toner for copiers; Colorants for use in the manufacture of printing ink; Dye toners; Edible ink cartridges, filled, for printers; Filled ink cartridges; Filled ink cartridges for printers; Filled ink jet cartridges; Filled toner cartridges; Filled toner cartridges for photocopiers; Filled toner cartridges for printers; Filled edible ink cartridges for printers; Filled ink cartridges for printers; Filled ink jet cartridges; Filled toner cartridges; Filled toner cartridges for printers; Ink cartridges, filled, for printers; Ink jet printer ink; Photocopier toner; Photocopier toner in

cartridges; Planographic ink; Printing inks; Printing inks, coatings, pigments and dispersions for use in the graphic arts industry; Printing inks, coatings, pigments and dispersions for use on cartons and packaging; Printing toner; Printing compositions; Toner cartridges, filled, for printers and photocopiers; Toner cartridges, filled, for inkjet printers; Toner cartridges, filled, for laser printers; Typographic ink; Xerographic toners. *See id.* at ¶ 119, and Exh. 1.88. The USPTO lists the owner of the trademark as ZhuHai MeiJiAn Trading Co., Ltd., a China limited company. *See id.*

51. On information and belief, ZhuHai MeiJiAn doing business under its dba's and/or seller names "HaloFox" and "halodreamhouse" offers for sale and sells Accused Ink Cartridge Products on *www.eBay.com*. *See id.* at ¶¶ 119-128, and Exhs. 1.89-1.95.

52. On information and belief, ZhuHai MeiJiAn is affiliated with proposed respondent Mountain Peak, in that Accused Ink Cartridge Products ordered from ZhuHai MeiJiAn's store front on *www.ebay.com* are fulfilled, in some instances, by Mountain Peak. *See id.* at ¶¶ 122-124, 126, 128, and Exhs. 1.90-1.91, 1.93, 1.95.

14. Qiong Wang

53. On information and belief, proposed respondent Qiong Wang ("Qiong Wang") is a China-based individual with a business address at Leizhou, City, 017 Minzhong Road, Yangjia Town, Guangdong Province China 524200. *See* Seitz Decl. ¶¶ 129-130, and Exh. 1.96. On information and belief, Qiong Wang is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products. *See id.* at ¶¶ 130-135, and Exhs. 1.96-1.99.

54. On information and belief, and according to the U.S. Patent and Trademark Office, Qiong Wang has a U.S. registered trademark on the mark "7-Magic" (Reg. No. 5270055) for Ink cartridges, filled, for printers; Ink jet printer ink; Toner; Toner cartridges, filled, for inkjet printers;

Toner cartridges, filled, for laser printers; Toner cartridges, filled, for printers and photocopiers; Toner for copiers; Toners; Coatings in the nature of conductive inks for use in the manufacture of printed circuit boards; Dye toners; Edible ink; Edible ink cartridges, filled, for printers; Filled ink cartridges; Filled ink jet cartridges; Filled toner cartridges; Filled toner cartridges for photocopiers; Filled toner cartridges for printers; Filled edible ink cartridges for printers; Inks, toners and dyes for use with or on textiles and fabrics; Metallic printing inks; Microencapsulated fragrance inks for flexographic printing; Mimeographing ink; Photocopier toner; Photocopier toner in cartridges; Printers' ink; Printers' pastes; Printing ink; Printing inks, coatings, pigments and dispersions for use in the graphic arts industry; Printing inks, coatings, pigments and dispersions for use on cartons and packaging; Printing toner; Printing compositions; Thermochromic printing inks; Xerographic toners. *See id.* at ¶ 130, and Exh. 1.96. The USPTO lists the owner of the trademark as Jiaxin Liang, and individual and citizen of China. *See id.*

55. On information and belief, Qiong Wang doing business under its dba and/or seller name "7-Magic" offers for sale and sells Accused Ink Cartridge Products on *www.ebay.com*. *See id.* at ¶¶ 132-135, and Exhs. 1.97-1.99.

56. On information and belief, Qiong Wang is affiliated with proposed respondent Mountain Peak, in that Accused Ink Cartridge Products ordered from Qiong Wang on *www.ebay.com* are fulfilled, in some instances, by proposed respondent Mountain Peak. *See id.* at ¶¶ 133-134, and Exh. 1.98.

15. Shen Zhen Sailing Technology Limited

57. On information and belief, proposed respondent Shen Zhen Sailing Technology Limited ("Shen Zhen Sailing") is a China-based company with a business address at Bairuida Dasha 807, Shenzhen Shi Longgang Qu Bantian Jiedao 807, Shenzhen, China 518111. *See Seitz*

Decl. ¶¶ 136-137, and Exh. 1.100. On information and belief, Shen Zhen Sailing is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products. *See id.* at ¶¶ 138-142, and Exhs. 1.101-1.103.

58. On information and belief, and according to the U.S. Patent and Trademark Office, Shen Zhen Sailing has a U.S. registered trademark on the mark "Palmtree" (Reg. No. 5275466) for Filled ink cartridges; Filled ink cartridges for printers; Filled ink jet cartridges; Filled toner cartridges; Filled toner cartridges for printers; Photocopier toner in cartridges. *See id.* at ¶ 137, and Exh. 1.100. The USPTO lists the owner of the trademark as Shen Zhen Sailing Technology Limited a China limited company. *See id.*

59. On information and belief, Shen Zhen Sailing doing business under its dbas and/or seller names "Triple-Color" and "Palmtree" offers for sale and sells Accused Ink Cartridge Products on *www.ebay.com*. *See id.* at ¶¶ 138-142, and Exhs. 1.101-1.103.

60. On information and belief, Shen Zhen Sailing is affiliated with proposed respondent Mountain Peak, in that Accused Ink Cartridge Products ordered from Shen Zhen Sailing on *www.ebay.com* are fulfilled, in some instances, by proposed respondent Mountain Peak. *See id.* at ¶¶ 140-141, and Exh. 1.102.

16. Zhuhai Shuofeng E-commerce Co., Ltd.

61. On information and belief, proposed respondent Zhuhai Shuofeng E-commerce Co., Ltd. ("Shuofeng") is a company organized and existing under the laws of China with a business address at Room 1202, Unit 1, Building 6, No. 28, Beishan Road, Xiangzhou District, Zhuhai, Guangdong, China 519000. *See* Seitz Decl. ¶¶ 143-144, and Exh. 1.104. On information and belief, Shuofeng is engaged in the manufacture, importation into the United States, sale for

importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products. *See id.* at ¶¶ 145-149, and Exhs. 1.105-1.108.

62. On information and belief, and according to the U.S. Patent and Trademark Office, Shuofeng has applied for a U.S. trademark on the mark "InkSpirit" (Reg. No. 6299883) for Filled ink cartridges; Filled ink cartridges for printers; Filled toner cartridges; Filled toner cartridges for printers; Ink cartridges, filled, for printers; Ink jet printer ink; Printing ink; Printing toner. *See id.* at ¶ 144, and Exh. 1.104. The USPTO lists the owner of the trademark as Zhuhai Shuofeng E-commerce Co., Ltd., a China limited company. *See id.*

63. On information and belief, Shuofeng doing business under its dbas and/or seller names "super-ink-club" and "inkspirit" offers for sale and sells Accused Ink Cartridge Products on *www.ebay.com*. *See id.* at ¶¶ 144-149, and Exhs. 1.104-1.108.

17. Zhuhai Bowang Technology Co., Ltd.

64. On information and belief, proposed respondent Zhuhai Bowang Technology Co., Ltd. ("Bowang") is a company organized and existing under the laws of China with its principal place of business located at Rm 1601 and 1602, 16/F Building 2, Meixi, Commercial Plaza No. 168 Tourism Road, Xiangzhou District, Zhuhai, Guangdong, China 519075. *See Seitz Decl.* ¶¶ 150-151, and Exh. 1.109. On information and belief, Bowang is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products. *See Seitz Decl.* ¶¶ 152-156, and Exhs. 1.110-1.113.

65. On information and belief, and according to the U.S. Patent and Trademark Office, Bowang has a U.S. registered trademark on the mark "ColorWorld" (Reg. No. 5775022) for Copying inks; Edible inks; Filled edible ink cartridges for printers; Filled toner cartridges; Filled

toner cartridges for printers; Inks, toners and dyes for use with or on textiles and fabrics; Microencapsulated fragrance inks for flexographic printing; Natural dyes; Planographic ink; Printing inks; Toner cartridges, filled, for printers and photocopiers; Toner cartridges, filled, for inkjet printers; Toner cartridges, filled, for laser printers; Toner for photocopiers. *See id.* at ¶ 151, and Exh. 1.109. The USPTO lists the owner of the trademark as Zhuhai Bowang Technology Co., Ltd., a China limited company. *See id.*

66. On information and belief, Bowang doing business under its dbas and/or seller names "office-print-club" and "colorworld" offers for sale and sells Accused Ink Cartridge Products on *www.ebay.com*. *See id.* at ¶¶ 151-156, and Exhs. 1.109-1.113.

18. Mountain Peak, Inc.

67. On information and belief, and according to the California Secretary of State, proposed respondent Mountain Peak, Inc. ("Mountain Peak") is a corporation organized and existing under the laws of California (Reg. # 3991508) with a business address at 19945 Harrison Avenue, City of Industry, California 91789. *See* Seitz Decl. ¶ 157, and Exhs. 1.114. On information and belief and according to Mountain Peak's filings with the Secretary of State of California, Jian Zhou is the Chief Executive Officer and is on the Board of Directors of Mountain Peak. *See id.*

68. On information and belief, Mountain Peak does business under the assumed name of TonerKingdom. *See id.* at ¶¶ 158, 161-179, and Exhs. 1.115-1.139, 1.162. On information and belief, Mountain Peak imports and/or sells after importation into the United States Accused Ink Cartridge Products. *See id.*

69. On information and belief, and according to the U.S. Patent and Trademark Office, Mountain Peak has a U.S. trademark registration on the mark "Toner Kingdom" (Reg. No.

4817266) for Filled ink cartridges; Ink cartridges for printers; Photocopier toner; Photocopier toner in cartridges; Printing toner; Toner; Toner cartridges; Toner cartridges, filled, for printers and photocopiers; Toner for copiers; Toners. *See* Seitz Decl. ¶ 158 and Exhs. 1.115-1.116. The USPTO lists the owner of the trademark as Jian Zhou, an individual and citizen of Canada. *See id.*

70. On information and belief, Mountain Peak operates online stores on *www.ebay.com*, on which it sells Accused Ink Cartridge Products under the brand names and/or seller names "easy-life6", "toner kingdom", "Freecart_Shop", "Rainbow-Printer", "Cmybabee", "bestforimage", and "4printink." *See id.* at ¶¶ 160-179, and Exhs. Exhs. 1.117-1.139, 1.162.

71. On information and belief, Mountain Peak imports and/or sells after importation into the United States Accused Ink Cartridge Products. *See id.*

72. On information and belief, Mountain Peak is affiliated with, and ships and/or fulfills orders of Accused Ink Cartridge Products made in China for proposed respondents Mei Jin, ZhuHai MeiJiAn, Qiong Wang, Shen Zhen Sailing, and other manufacturers. *See id.* at ¶ 180, and Exhs. 1.86, 1.90, 1.91, 1.93, 1.95, 1.98, 1.102.

19. Straightouttaink, LP

73. On information and belief, and according to the California Secretary of State, proposed respondent Straightouttaink LP ("Straightouttaink") was a limited partnership organized and existing the laws the State of California (Registry # 201603300001) with its principal place of business located at 541 W. Capitol Expressway 10-212, San Jose, California 95136. *See* Seitz Decl. ¶ 182, and Exh. 1.140. On information and belief and according to Straightouttaink's filings with the Secretary of State of California, Nhan Ho is the sole general partner, and Hung Le is the agent for service of process of Straightouttaink. *See id.* On January 15, 2020, according to

Straightouttink's filings with the California Secretary of State, Nhan Ho filed a certificate of cancellation of Straightouttink's limited partnership registration. *See id.*, and Exh. 1.141.

74. On information and belief, Straightouttink operates online stores, *www.discountinkllc.com*, and *www.inkprousa.com*, on which it sells Accused Ink Cartridge Products. *See id.* at ¶¶ 184, 189, 197, and Exhs. 1.142, 1.150, 1.158. On information and belief, Straightouttink, doing business as "Inkpro" also sells Accused Ink Cartridge Products on its *www.amazon.com* storefront Inkpro. *See id.* at ¶¶ 185, 190-193, and Exhs. 1.145, 1.151-1.154. On information and belief, Straightouttink, doing business as "discountinkllc" and "einkshop2014" also sells Accused Ink Cartridge Products on its *www.ebay.com* storefronts discountinkllc and einkshop2014. *See id.* at ¶¶ 185, 188, 195-196, 198, and Exhs. 1.143-1.144, 1.149, 1.156-1.157, 1.163.

75. On May 2, 2017, the U.S. ITC issued a seizure and forfeiture order against Straightouttink with respect to the importation of articles covered by the Commission's April 2012 modified general exclusion order issued in Certain Ink Cartridges and Components Thereof, Inv. No. 337-TA-565. *See id.* at ¶ 187, and Exh. 1.148.

76. On December 18, 2019, Straightouttink was sued by Complainants in United States District Court for the Northern District of California, San Jose Division for patent infringement of United States Patent No. 6,955,422 ("the '422 patent"), United States Patent No. 8,794,749 ("the '749 patent"), and United States Patent No. 8,454,116 ("the '116 patent") due to their sales, offering to sell, and sale after importation of ink cartridge products. *See id.* at ¶ 186 and Exh. 1.146. The case was entitled USDC, N.D. Cal., San Jose Div. Case No. 5:19-cv-08240-YGR. *See id.* On January 28, 2022, a Final Default Judgment and Permanent Injunction was issued awarding Complainants lost profits damages in the amount of \$1,564,147, and a permanent

injunction permanently enjoining Straightouttink, their officers and directors, agents, servants, employees, attorneys, distributors, and affiliates from sale of aftermarket ink cartridges, or any other products that infringe at least one claim of the '422 patent, '749 patent, or the '116 patent. *See id.* at ¶ 186 and Exh. 1.147.

III. THE PRODUCTS AT ISSUE

77. Pursuant to 19 C.F.R. § 210.12(a)(12), the category of products accused in this Investigation is ink cartridges and components thereof.

78. Epson is a leading developer and manufacturer of ink jet printers and ink cartridges for use with those printers. Indeed, the quality of its printing products is so well recognized that Epson was selected as the printer supplier for the International Space Station. Epson ink cartridges come in many different varieties and forms. Indeed, not all Epson ink cartridges work with all Epson printers. Instead, Epson ink cartridges are printer-specific: specific families of Epson ink cartridges are designed to operate with specific sets of Epson printers, and not others. And this is the norm in the printer industry, where manufacturers specify the specific cartridge families to be used with specific printer models that they sell, and different cartridge families are compatible with different printer models.²

79. The Proposed Respondents offer infringing ink cartridge substitutes for many of the genuine ink cartridges currently being sold by Epson, including many different cartridge families designed for many different printer models. For purposes of the infringement analysis relevant to this Investigation (and to Complainants' other concurrently filed Complaint), however,

² Recognizing this fact, Proposed Respondents market their infringing products by reference to the specific Epson printer models for which each Accused Ink Cartridge Product is compatible, and/or by reference to the numerical trademark associated with the genuine Epson cartridge for which the infringing product is a substitute. *See, e.g.*, Seitz Decl., Exhs. 1.13, 1.16, 1.25, 1.37, 1.45, 1.59, 1.90, 1.113, 1.134, and 1.156.

the Accused Ink Cartridge Products (and the genuine Epson cartridges for which they are substitutes) and the printers with which they operate can be organized into three groups.³ The infringement analysis for the applicable Asserted Claims is the same for each member of a group. A detailed explanation of these three groups, and why the same infringement analysis applies to each member of each group, is set forth in the Confidential Declaration of Dr. Gerald M. Murch, (hereinafter, the "Murch Decl." or "Murch Declaration"), submitted herewith, as Confidential Exhibit 2. *See* Murch Decl., ¶¶ 9-71.

80. All of the printer models in a given group have similar architecture, circuitry and programming in terms of how they interoperate with an installed ink cartridge, and all of the cartridges that will interoperate with those printer models also have similar architecture, circuitry, and programming, in terms of how they function, and hence, how they practice the Asserted Claims. This is true, even though the various products in a group will vary in form-factor, color of ink carried, ink capacity, and other ways that are unrelated to the Asserted Claims. As a result, the infringement analysis is the same for each Accused Ink Cartridge Product in a group, and this analysis can be confirmed by actual testing of one or more representative Accused Ink Cartridge Products from each group. Each of these groups is described generally below, and each is discussed in more detail in the accompanying Murch Declaration.

81. One can determine whether a given Accused Ink Cartridge Product belongs in a given Group based on: (1) an examination of the arrangement of the cartridge's "terminals"⁴ and

³ The Asserted Patents in this Complaint only concern two of the three groups of Accused Ink Cartridge Products. However, because the relationship amongst the groups provides important context, this Complaint still discusses all three groups. The patents asserted in Complainants' other concurrently filed Complaint concern all three groups of Accused Ink Cartridge Products.

⁴ The term "terminals" refers to conductive elements on a cartridge. On genuine Epson cartridges, the terminals are golden-color conductive pads that are visible on the front face of a (footnote continued)

"contact portions"⁵ and/or (2) an identification of the Epson printer model(s) with which that cartridge is compatible and/or the numerical trademark associated with the genuine Epson cartridge for which that Accused Ink Cartridge Product is a substitute.⁶

82. A summary of the three groups, and their identifying features, is as follows:

A. Group 1:⁷

83. Accused Ink Cartridge Products in Group 1 can readily be identified based upon: (1) a visual examination of the arrangement of the terminals and contact portions on a particular Accused Ink Cartridge Product, and (2) an identification of the Epson printer model(s) with which that cartridge is compatible and/or the numerical trademark associated with the genuine Epson cartridge for which that cartridge is a substitute.

84. The Accused Ink Cartridge Products in Group 1 (and the genuine Epson cartridges for which they are substitutes) all have contact portions arranged in two rows, with five contact

genuine Epson cartridge's printed circuit board. The terminals on Accused Ink Cartridge Products may look different than terminals on genuine Epson cartridges. For example, they may have a different color, shape, or arrangement, and they may not be located on the face of a printed circuit board. However, these differences are irrelevant to the infringement analysis of the Asserted Claims. *See* Murch Decl., ¶ 12.

⁵ The term "contact portions" refers to those portions of the cartridge's terminals that actually make contact with the conductive elements of the printer ("contact forming members"), while the cartridge is installed, so as to permit the flow of current and enable electrical communication between the cartridge and the printer. The location of the contact portions on a given Accused Ink Cartridge Product can be determined by applying ink (e.g., from a marker) to the cartridge's terminals, installing and removing the cartridge from the printer, and observing the portions of the terminals where the printer's contact forming members have scraped off the applied ink. *See* Murch Decl., ¶¶ 13-15.

⁶ As discussed above, Proposed Respondents often market Accused Ink Cartridge Products by reference to this Epson printer and cartridge information. The Accused Ink Cartridge Products and/or their packaging with this information. *See, e.g.,* Seitz Decl., Exhs. 1.13, 1.16. 1.25, 1.37, 1.45, 1.59, 1.90, 1.113, 1.134, and 1.156.

⁷ There are no patents in this Complaint that are asserted against the Group 1 Accused Ink Cartridges. However, to provide full context, this Complaint still discusses them.

portions in the bottom row and two (or, for certain models, four) contact portions in the top row.⁸

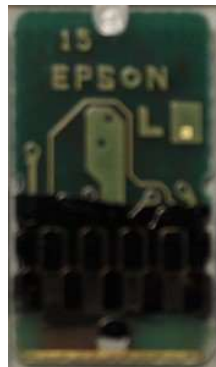
For example, shown below are photographs of a genuine Epson Group 1 ink cartridge, showing the locations of the contact portions, determined in the manner described in footnote 5.



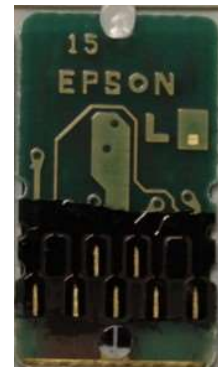
**Genuine Epson Group 1 Cartridge (Control # 250086)
With printed circuit board with terminals circled in red**



**Enlarged view of printed circuit board
showing the cartridge's terminals**



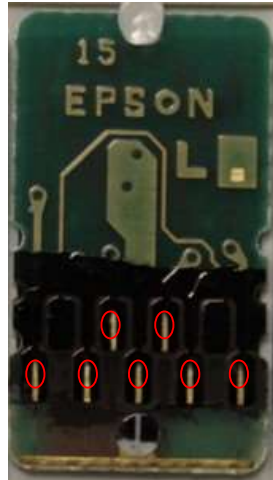
**Ink applied with marker
to terminals of cartridge**



**Terminals after cartridge installed
and removed from printer**

⁸ In the context of the Asserted Patents, "bottom row" refers to a row of terminals or contact portions located at a position in the printer that is deeper in the printer than the other row ("top row"), with respect to the insertion direction. "Top row" refers to a row of terminals or contact portions located at a position in the printer that is not as deep (i.e., more shallow) in the printer as the deeper row, with respect to the insertion direction. *See also, infra*, Section IV.H ("Non-Technical Description of the Patented Technologies").

85. The contact portions are the upper portions of the areas of the terminals where the ink applied with the marker is scraped off (the lines extending vertically below the contact portions represent the areas where the ink of the marker was scraped off as the cartridge was installed and removed). The following annotated photo shows the locations of the seven contact portions, annotated by the red ovals.

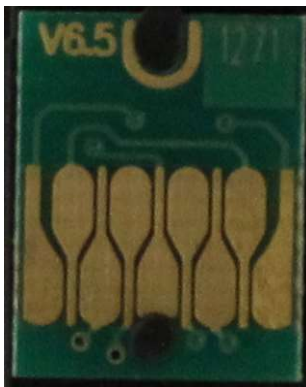


**Seven contact portions (red ovals) of terminals
of genuine Epson Group 1 Cartridge**

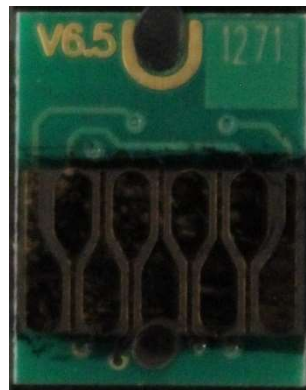
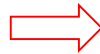
86. The Accused Ink Cartridge Products in Group 1 have various colors, shapes, and arrangements of terminals that may differ in appearance from those on the Group 1 genuine Epson cartridges, but the contact portions of all Group 1 Accused Ink Cartridge Products, which make contact with the contact forming members of the Group 1 Printers, are always in the same arrangements as the contact portion arrangements found on the genuine Epson Group 1 products. For example, shown below are photographs of Group 1 Accused Ink Cartridge Product showing that, although its terminals are not the same shape as those on the genuine Epson Group 1 Cartridge shown above, the Group 1 Accused Ink Cartridge Product still shares the same arrangement of contact portions as the genuine Epson Group 1 Cartridge.



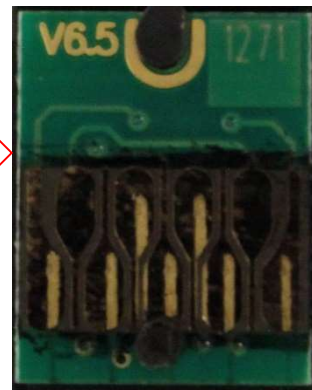
**Group 1 Accused Ink Cartridge Product (Control # 240787)
from Proposed Respondent Mountain Peak
with printed circuit board with terminals circled in red**



**Enlarged view of printed circuit board
showing the cartridge's terminals**

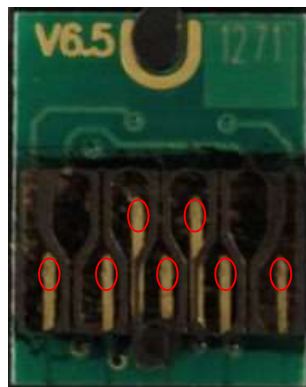


**Ink applied with marker
to terminals of cartridge**



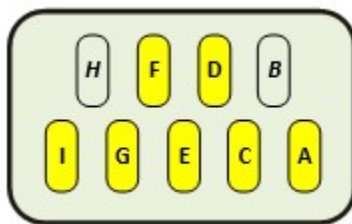
**Terminals after cartridge installed
and removed from printer**

87. The following annotated photo shows the location of the contact portions of the Group 1 Accused Ink Cartridge Product annotated by red ovals.



**Contact portions (red ovals) of terminals of a
Group 1 Accused Ink Cartridge Product**

88. For ease of reference, the contact portions (and their associated terminals) on Group 1 genuine Epson cartridges and Group 1 Accused Ink Cartridge Product may sometimes be referred to herein according to the following lettering scheme. The specific functions associated with these contact portions are set out in ¶¶ 20-24 of the Murch Declaration. As noted above, two of the contact portions in the top row (specifically, contact portions B and H) are only present in certain Group 1 Cartridges, which are set out in the Murch Declaration at ¶¶ 16, 24. For purposes of the Group 1 infringement analysis, it does not matter whether a Group 1 Accused Ink Cartridge Product has contact portions B and H. *See* Murch Decl., ¶¶ 24-25.



89. Not all ink cartridge substitutes with one of these arrangements of contact portions are necessarily in Group 1. Instead, Group 1 is limited to the ink cartridges that have one of these arrangements of contact portions, and that are intended to operate with specific Epson printers that have certain circuitry and programming. This is because the infringement analysis also turns, in part, on the respective functions of certain contact portions (specifically, contact portions A, C-G, and I), which are necessary for the cartridges to fully and properly operate with Group 1 Printers. *See* Murch Decl., ¶¶ 20-26. In this case, the Accused Ink Cartridge Products in Group 1 are those that are designed to operate with the list of Group 1 Printers set out in the Murch Declaration at

¶ 11, and they may also be identified if they are offered as substitutes for the specific Epson ink cartridge families set out in ¶¶ 28-29 of the Murch Declaration.⁹

90. The Accused Products in Group 1 are not limited to a single form-factor (i.e., shape and size), like shown above. Instead, they include many different shapes and sizes of cartridges, including the examples of cartridge types shown below.¹⁰



Example 1
(Accused Ink Cartridge Product, Control # 240787)



Example 2
(Accused Ink Cartridge Product, Control # 240831)

⁹ Epson may introduce new models of printers in the future that also have the same arrangements of contact forming members and circuitry and programming described herein as relevant to the claims asserted in Complainants' other concurrently filed Complaint. All such newly introduced printers would fall into the Group 1 Printers, and the Group 1 Cartridges (or newly introduced cartridges that have all of the requirements of the Group 1 Cartridges described herein) would be compatible with such newly introduced Group 1 Printers as well (assuming the cartridges and printers are designed to operate with one another as noted above).

¹⁰ The photos are not to scale. For example, the Example 4 cartridge is a relatively large cartridge, known as Large Format Printer ("LFP") cartridge (typically used in printers in industrial and/or professional applications), that holds many times the volume of ink than the smaller Example 1 and Example 2 cartridges, which are typically for smaller, desktop, consumer ink jet printers. The Example 3 cartridge, which is typically for business ink jet printers, is smaller than the Example 4 cartridge but larger than the Example 1 and Example 2 cartridges.



Example 3
(Accused Ink Cartridge Product, Control # 250098)



Example 4
(Genuine Epson Ink Cartridge)

91. In this Complaint, there are no Asserted Claims that are asserted against the Group 1 Accused Ink Cartridge Products. However, in Complainants' other concurrently filed Complaint, multiple claims in the '347 patent and the '508 patent are asserted against the Group 1 Accused Ink Cartridge Products.

B. Group 2:

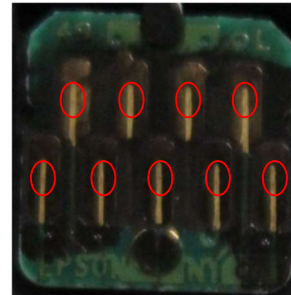
92. The Accused Ink Cartridge Products in Group 2 can readily be identified based upon: (1) a visual examination of the arrangement of the terminals and contact portions on a particular Accused Ink Cartridge Product, and (2) an identification of the Epson printer model(s) with which that cartridge is compatible and/or the numerical trademark associated with the genuine Epson cartridge for which that cartridge is a substitute.

93. The Accused Ink Cartridge Products (and the genuine Epson cartridges for which they are substitutes) in Group 2 all have contact portions arranged in two rows, with five contact portions in the bottom row and four contact portions in the top row. For example, below are photos

showing the contact portions on one genuine Epson Group 2 Cartridge and one representative Group 2 Accused Ink Cartridge Product.



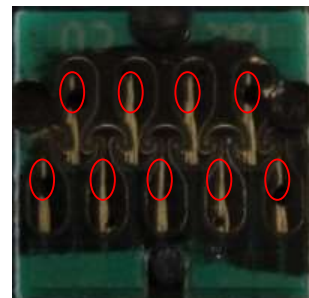
Genuine Epson Group 2 Cartridge (Control # 250064)



Nine contact portions (red ovals) of terminals of genuine Epson Group 2 Cartridge



**Accused Ink Cartridge Product (Control # 250013)
from Proposed Respondent Qiong Wang**

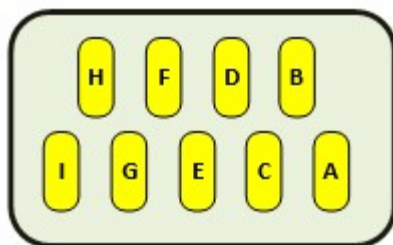


Nine contact portions (red ovals) of terminals of a Group 2 Accused Ink Cartridge Product

94. As these examples reflect, the Accused Ink Cartridge Products in Group 2 have various colors, shapes, and arrangements of terminals that may differ in appearance from those on the Group 2 genuine Epson cartridges, but the contact portions of all Group 2 Accused Ink Cartridge Products, which make contact with the contact forming members of the Group 2 Printers,

are always in the same arrangements as the contact portion arrangements found on the genuine Epson Group 2 products.

95. For ease of reference, the contact portions (and their associated terminals) on Group 2 genuine Epson cartridges and Group 2 Accused Ink Cartridge Products may sometimes be referred to herein according to the following lettering scheme. The specific functions associated with these contact portions (and how they differ from those of the Group 1 Accused Ink Cartridge Products) are set out in ¶¶ 39-42 of the Murch Declaration. Notably, and in contrast to Group 1, contact portions B and H are always present in Group 2 cartridges.



96. Not all ink cartridge substitutes with this arrangement of contact portions are necessarily in Group 2. Instead, Group 2 is limited to the ink cartridges that have this arrangement of contact portions, and that are intended to operate with specific Epson printers that have certain circuitry and programming. This is because the infringement analysis also turns, in part, on the respective functions of the contact portions, which are necessary for the cartridges to fully and properly operate with Group 2 Printers. *See* Murch Decl., ¶¶ 39-44. In this case, the Accused Ink Cartridge Products in Group 2 are those that are designed to operate with the list of Group 2 Printers set out in the Murch Declaration at ¶ 30, and they may also be identified if they are offered

as substitutes for the specific Epson ink cartridge families set out in ¶¶ 46-47 of the Murch Declaration.¹¹

97. The Accused Products in Group 2 are not limited to a single form-factor (i.e., shape and size), like shown above. Instead, they include many different shapes and sizes of cartridges, including the examples of cartridge types shown below.¹²



Example 1
(Control # 250013)



Example 2
(Control # 241073)

¹¹ Epson may introduce new models of printers in the future that also have the same arrangements of contact forming members and circuitry and programming described herein as relevant to the Asserted Claims. All such newly introduced printers would fall into the Group 2 Printers, and the Group 2 Cartridges (or newly introduced cartridges that have all of the requirements of the Group 2 Cartridges described herein) would be compatible with such newly introduced Group 2 Printers as well (assuming the cartridges and printers are designed to operate with one another as noted above).

¹² The photos are not to scale. For example, the Example 3 and Example 4 cartridges are larger cartridges, which hold many times the volume of ink than the smaller Example 1 and Example 2 cartridges.



Example 3
(Control # 240770)



Example 4
(Genuine Epson)

98. In this Complaint, the claims asserted against the Group 2 Accused Ink Cartridge Products are:

- claims 1-3, 7-8, and 10 of the '172 patent; and
- claims 1, 7-8, and 10 of the '934 patent.¹³

C. Group 3:

99. The Accused Ink Cartridge Products in Group 3 can readily be identified based upon: (1) a visual examination of the arrangement of the terminals and contact portions on a particular Accused Ink Cartridge Product, and (2) an identification of the Epson printer model(s) with which that cartridge is compatible and/or the numerical trademark associated with the genuine Epson cartridge for which that cartridge is a substitute.

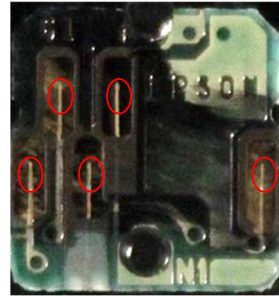
100. In contrast to the Group 1 and Group 2 cartridges, the contact portions of the Accused Ink Cartridge Products in Group 3 (and of the genuine Epson cartridges for which they are substitutes) all have an asymmetric arrangement with only two terminals in the top row and

¹³ In Complainants' other concurrently filed Complaint, claims of the '347 patent and the '508 patent are asserted against the same Group 2 Accused Ink Cartridge Products.

only three terminals in the bottom row. For example, below are photos showing the contact portions on one genuine Epson Group 3 cartridge and one representative Group 3 Accused Ink Cartridge Product.



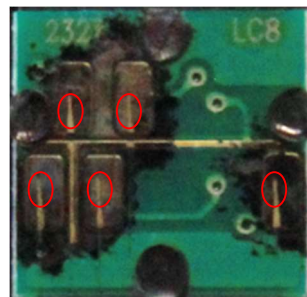
Genuine Epson Group 3 Cartridge (Control # 241060)



Five contact portions (red ovals) of terminals of genuine Epson Group 3 Cartridge

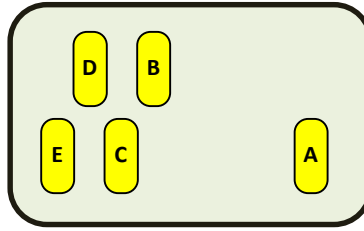


**Accused Ink Cartridge Product (Control # 241064)
from Proposed Respondent Shangrao Shixuan**



Five contact portions (red ovals) of terminals of a Group 3 Accused Ink Cartridge Product

101. For ease of reference, the contact portions (and their associated terminals) on Group 3 genuine Epson cartridges and Group 3 Accused Ink Cartridge Products may sometimes be referred to herein according to the following lettering scheme. The specific functions associated with these contact portions are set out in ¶¶ 57-58 of the Murch Declaration.



102. At the present, all known Accused Ink Cartridge Products with the foregoing arrangement of contact portions are in Group 3. However, to the extent this ever changes, Group 3 is limited to the ink cartridges that not only have this arrangement of contact portions, but also are intended to operate with specific Epson printers that have certain circuitry and programming. This is because the infringement analysis also turns, in part, on the respective functions and characteristics of the contact portions, which are necessary for the cartridges to fully and properly operate with Group 3 Printers. *See* Murch Decl., ¶¶ 57-68. In this case, the Accused Ink Cartridge Products in Group 3 are those that are designed to operate with the list of Group 3 Printers set out in the Murch Declaration at ¶ 48, and they may also be identified if they are offered as substitutes for the specific Epson ink cartridge families set out in ¶¶ 70-71 of the Murch Declaration.¹⁴

103. The Accused Products in Group 3 are not limited to a single form-factor (i.e., shape and size), like shown above. Instead, they include many different shapes and sizes of cartridges, including the examples of cartridge types shown below.¹⁵

¹⁴ Epson may introduce new models of printers in the future that also have the same arrangements of contact forming members and circuitry and programming described herein as relevant to the Asserted Claims. All such newly introduced printers would fall into the Group 3 Printers, and the Group 3 Cartridges (or newly introduced cartridges that have all of the requirements of the Group 3 Cartridges described herein) would be compatible with such newly introduced Group 3 Printers as well (assuming the cartridges and printers are designed to operate with one another as noted above).

¹⁵ The photos are not to scale. the Example 1 cartridge is a relatively smaller cartridge, which is typically for smaller, desktop, consumer ink jet printers, whereas the Example 2 cartridge, which is typically for business ink jet printers, is larger and has a different type of structure.



Example 1
(Control # 241064)



Example 2
(Genuine Epson)

104. In this Complaint, the claims asserted against the Group 3 Accused Ink Cartridge Products are:

- claims 1, 7, 12, 17, 19-20, and 24 of the '038 patent;
- claims 1, 7, 13, 15, and 20-21 of the '248 patent; and
- claims 1-2, 7-8, 13-15, and 20-22 of the '249 patent.¹⁶

D. Summary of Asserted Claims Against Accused Ink Cartridge Product Groups:

105. A chart that summarizes the claims asserted in this Complaint against each Group of Accused Ink Cartridges is thus as follows:

Accused Ink Cartridge Group	Asserted Claims
Group 1 Accused Ink Cartridges	In this Complaint, there are no claims asserted against the Group 1 Accused Ink Cartridges.
Group 2 Accused Ink Cartridges	'172 patent: claims 1-3, 7-8, and 10 '934 patent: claims 1, 7-8, and 10
Group 3 Accused Ink Cartridges	'038 patent: claims 1, 7, 12, 17, 19-20, 24 '248 patent: claims 1, 7, 13, 15, 20-21 '249 patent: claims 1-2, 7-8, 13-15, 20-22

¹⁶ In Complainants' other concurrently filed Complaint, claims of the '037 patent, the '150 patent, and the '539 patent are asserted against the same Group 3 Accused Ink Cartridge Products.

E. Components of Ink Cartridges:

106. In addition to the Accused Ink Cartridge Products discussed above, certain Proposed Respondents, and others, are selling for importation, importing, and/or selling after importation, components used to make infringing Accused Ink Cartridge Products.

107. For example, the Ocbestjet Group proposed respondents manufacture, import and sell into the United States components consisting of one-time-use printed circuit boards that are intended to be assembled into substitutes for Group 2 genuine Epson ink cartridges associated with the 804 numerical trademark, for use with Epson SureColor P6000, P7000, P8000, and P9000 printers, which are Group 2 Printers. *See* Seitz Decl. ¶¶ 200-201, and Exhs. 1.10, 1.12. When sold, these printed circuit boards (components) do not have a cartridge or other receptacle (e.g., for holding ink). On their own, they will not operate correctly with Epson Group 2 Printers, and they do not meet every limitation of many of the Asserted Claims applicable to Group 2 Accused Ink Cartridges.¹⁷ However, Ocbestjet Group intends for the user to assemble a printed circuit board (a component) into an infringing Group 2 Accused Ink Cartridge by combining it with an Epson-compatible refillable ink cartridge body, which Ocbestjet Group (along with others) also manufactures, imports and sells into the United States. *See* Seitz Decl. ¶¶ 200-208, and Exhs. 1.10, 1.12, 1.23, 1.26. When they are so combined, the resulting product is a Group 2 Accused Ink Cartridge Product that infringes the Asserted Claims in the same fashion as other Group 2 Accused Ink Cartridge Products. *See* Murch Decl. ¶ 72.¹⁸

¹⁷ They do, however, meet every limitation of—and thereby directly infringe—the applicable Asserted Claims that are directed to a board.

¹⁸ Before using the resulting product, the user may also need fill the ink cartridge body with ink (i.e., if it is empty). But this extra step is not required in order to assemble the ink cartridge body into an infringing Group 2 Accused Ink Cartridge. Rather, merely combining the printed circuit board and ink cartridge body results in an infringing Group 2 Accused Ink Cartridge.

108. These Ocbestjet Group printed circuit boards are specifically designed, made, and programmed to be combined with refillable ink cartridge bodies to make Group 2 Accused Ink Cartridge Products that will operate with the Epson SureColor P6000, P7000, P8000, and P9000 printers. The printed circuit boards have no other use. They are exported, imported and sold in the United States exclusively for this specific purpose. *See* Seitz Decl. ¶¶ 200-203, and Exhs. 1.10, 1.12.

109. As another example, proposed respondent Tatrix manufactures, imports and sells into the United States components consisting of one-time-use printed circuit boards that are intended to be assembled into substitutes for Group 2 genuine Epson ink cartridges associated with the 694 numerical trademark, for use with Epson SureColor T3270, T5270, T7270, T3000, T5000, T7000, T5270D, and T7270D printers, which are Group 2 Printers. *See* Seitz Decl. ¶¶ 204-208, and Exhs. 1.23, 1.26. When sold, these printed circuit boards (components) do not have a cartridge or other receptacle (e.g., for holding ink). On their own, they will not operate correctly with Epson Group 2 Printers, and they do not meet every limitation of many of the Asserted Claims applicable to Group 2 Accused Ink Cartridges.¹⁹ However, Tatrix intends for the user to assemble a printed circuit board (a component) into an infringing Group 2 Accused Ink Cartridge by combining it with an Epson-compatible refillable ink cartridge body, which Tatrix (along with others) also manufactures, imports and sells into the United States. *See* Seitz Decl. ¶¶ 204-208, and Exhs. 1.23, 1.26. When they are so combined, the resulting product is a Group 2 Accused Ink Cartridge

¹⁹ They do, however, meet every limitation of—and thereby directly infringe—the applicable Asserted Claims that are directed to a board.

Product that infringes the Asserted Claims in the same fashion as other Group 2 Accused Ink Cartridge Products. *See* Murch Decl. ¶ 72.²⁰

110. These Tatrix printed circuit boards are specifically designed, made, and programmed to be combined with refillable ink cartridge bodies to make Group 2 Accused Ink Cartridge Products that will operate with the Epson SureColor T3270, T5270, T7270, T3000, T5000, T7000, T5270D, and T7270D printers. The printed circuit boards have no other use. They are exported, imported and sold in the United States exclusively for this specific purpose. *See* Seitz Decl. ¶¶ 204-208, and Exhs. 1.23, 1.26.

111. As a further example, on information and belief, Proposed Respondents and/or other infringers also manufacture, import and sell into the United States other components consisting of refillable ink cartridge bodies that are intended to be assembled into substitutes for Group 2 and 3 genuine Epson ink cartridges for use in Epson Group 2 and 3 printers. When imported and sold, these refillable ink cartridge bodies (components) do not have a printed circuit board or the electronic circuitry or components necessary to operate correctly with the Epson Printers, and on their own, they do not meet every limitation of any of the Asserted Claims. However, infringers intend for the user and/or a reseller to assemble a refillable ink cartridge body (a component) into an infringing ink cartridge by combining it with an Epson-compatible one-time-use printed circuit board, such as those described above. When they are so combined, the resulting product is an ink cartridge that infringes the applicable Asserted Claims in the same fashion as other Accused Ink Cartridge Products. Moreover, these refillable ink cartridge bodies

²⁰ Before using the resulting product, the user may also need fill the ink cartridge body with ink (i.e., if it is empty). But this extra step is not required in order to assemble the ink cartridge body into an infringing Group 2 Accused Ink Cartridge. Rather, merely combining the printed circuit board and ink cartridge body results in an infringing Group 2 Accused Ink Cartridge.

are specifically designed and made to be combined with Epson-compatible one-time-use printed circuit boards to make Accused Ink Cartridge Products that will operate with Epson printers. The refillable ink cartridge bodies have no other use. They are exported, imported and sold in the United States exclusively for this specific purpose.

112. As a further example, on information and belief, Proposed Respondents and/or other infringers also manufacture, import and sell into the United States other components consisting of IC chips that are intended to be assembled into substitutes for Group 2 and 3 genuine Epson ink cartridges for use in Epson Group 2 and 3 printers. When imported and sold, these IC chips (components) do not have a printed circuit board or a cartridge or other receptacle (e.g., for holding ink) necessary to operate correctly with the Epson Printers, and on their own, they do not meet every limitation of many of the Asserted Claims. However, infringers intend for the user and/or a reseller to assemble an IC chip (a component) into an infringing ink cartridge by combining it with an Epson-compatible printed circuit board and refillable ink cartridge body, such as those described above. When they are so combined, the resulting product is an ink cartridge that infringes the applicable Asserted Claims in the same fashion as other Accused Ink Cartridge Products. Moreover, these IC chips are specifically designed, made, and programmed to be combined with Epson-compatible printed circuit boards and refillable ink cartridge bodies to make Accused Ink Cartridge Products that will operate with Epson printers. The IC chips have no other use. They are exported, imported and sold in the United States exclusively for this specific purpose.

113. On information and belief, the Proposed Respondents and other infringers have knowledge of the Asserted Patents because Epson marks its patents on its products, either directly with the patent numbers, or virtually under 35 U.S.C. § 287(a) by citation on the genuine

cartridges to a website that lists the patents that cover genuine Epson cartridges, including the Asserted Patents. In addition, by continuing to sell these components after receiving a copy of this Complaint, the Proposed Respondents are proceeding with clear knowledge of the Asserted Patents.

114. Furthermore, the Proposed Respondents and other infringers clearly intend to have consumers use the components to create and use infringing Accused Ink Cartridge Products. They market them based on their intended use, and they sell other necessary items (e.g., Epson-compatible refillable ink cartridge bodies, circuit boards, IC chips, and/or ink) to make them work. Further, the components they sell have no use other than to make an infringing Accused Ink Cartridge Product. Indeed, there is no indication they could be used for anything else. Indeed, consumers do buy these components and use them to make infringing Accused Ink Cartridge Products. Otherwise, these Proposed Respondents and other infringers would not make and sell them. Discovery will identify specific consumers who are using these components to infringe.

115. Accordingly, by selling these components, Proposed Respondents are indirectly infringing the Asserted Patents by contributory infringement and inducement.

IV. THE ASSERTED PATENTS

116. Pursuant to 19 C.F.R. § 210.12(a)(9)(ii), certified copies of the assignments to SEC for each of the Asserted Patents are collectively attached as Exhibit 69-70.

A. United States Patent No. 8,764,172

117. The second Asserted Patent herein is the '172 patent, entitled "Printing Apparatus, Printing Material Cartridge, Adaptor For Printing Material Container, And Circuit Board." A certified copy of the '172 patent is attached to the Complaint as Exhibit 64.

118. The '172 patent issued on July 1, 2014, based on an application (Application No. 13/221,181) filed on August 30, 2011, which claims priority from Japan Application No.

2010-197316 filed on September 3, 2010. The term of the '172 patent was extended or adjusted under 35 U.S.C. 154(b) by 216 days, and the '172 patent will expire on July 25, 2032.

119. Noboru Asauchi and Shuichi Nakano are the named inventors on the '172 patent.

120. Pursuant to 19 C.F.R. § 210.12(c)(i), attached as Appendix I is a certified copy of the prosecution history of the '172 patent (Application No. 13/221,181).

B. United States Patent No. 9,370,934

121. The fourth Asserted Patent herein is the '934 patent, entitled "Printing Apparatus, Printing Material Cartridge, Adaptor For Printing Material Container, and Circuit Board." A certified copy of the '934 patent is attached to the Complaint as Exhibit 65.

122. The '934 patent issued on June 21, 2016, based on an application (Application No. 14/319,609) filed on June 30, 2014, which is a division of App. No. 13/221,181 filed on August 30, 2011, now United States Patent No. 8,764,172, which claims priority from Japan Application No. 2010-197316 filed on September 3, 2010. The term of the '934 patent was extended or adjusted under 35 U.S.C. 154(b) by 11 days, is subject to a terminal disclaimer to the '172 patent, and will expire on July 25, 2032.

123. Noboru Asauchi and Shuichi Nakano are the named inventors on the '934 patent.

124. Pursuant to 19 C.F.R. § 210.12(c)(i), attached as Appendix II is a certified copy of the prosecution history of the '934 patent (Application No. 14/319,609). Pursuant to 19 C.F.R. § 210.12(c)(ii), copies of prosecution histories of priority applications are attached as Appendix I.

C. United States Patent No. 11,535,038

125. The sixth Asserted Patent herein is the '038 patent, entitled "Board, Liquid Accommodation Container, And Printing System." A certified copy of the '038 patent is attached to the Complaint as Exhibit 66.

126. The '038 patent issued on December 27, 2022, based on an application (Application No. 17/717,857) filed on April 11, 2022, which claims priority from Japan Application No. 2021-214129 filed on December 28, 2021 and Japan Application No. 2021-214139 filed on December 28, 2021. The '038 patent will expire on April 11, 2042.

127. The named inventors on the '038 patent are Shuichi Nakano, Yasuhiko Kosugi, and Jun Sato.

128. Pursuant to 19 C.F.R. § 210.12(c)(i), attached as Appendix III is a certified copy of the prosecution history of the '038 patent (Application No. 17/717,857). Pursuant to 19 C.F.R. § 210.12(c)(ii), copies of prosecution histories of priority applications are attached as Appendices VIII and IX.

D. United States Patent No. 12,240,248

129. The ninth Asserted Patent herein is the '248 patent, entitled "Board, Liquid Accommodation Container, And Printing System." A certified copy of the '248 patent is attached to the Complaint as Exhibit 67.

130. The '248 patent issued on March 4, 2025, based on an application (Application No. 18/907,860) filed on October 7, 2024, which is a continuation of App. No. 18/527,895 filed on December 4, 2023, which is a continuation of App. No. 17/988,307, filed November 16, 2022, now United States Patent No. 11,872,822, which is a continuation of App. No. 17/717,857, filed on April 11, 2022, now U.S. Patent No. 11,535,038, which claims priority from Japan Application No. 2021-214129 filed on December 28, 2021 and Japan Application No. 2021-214139 filed on December 28, 2021. The '248 patent is subject to a terminal disclaimer to the '038 and '822 patents and will expire on April 11, 2042.

131. The '150 patent is subject to a terminal disclaimer to the '037 patent and will expire on November 13, 2042

132. The named inventors on the '248 patent are Shuichi Nakano, Yasuhiko Kosugi, and Jun Sato.

133. Pursuant to 19 C.F.R. § 210.12(c)(i), attached as Appendix IV is a certified copy of the prosecution history of the '248 patent (Application No. 18/907,860). Pursuant to 19 C.F.R. § 210.12(c)(ii), copies of prosecution histories of priority applications are attached as Appendices III, VI, VII, VIII and IX.

E. United States Patent No. 12,240,249

134. The eighth Asserted Patent herein is the '249 patent, entitled "Board, Liquid Accommodation Container, And Printing System." A certified copy of the '249 patent is attached to the Complaint as Exhibit 68.

135. The '249 patent issued on March 4, 2025, based on an application (Application No. 18/908,045) filed on October 7, 2024, which is a continuation of App. No. 18/527,895 filed on December 4, 2023, which is a continuation of App. No. 17/988,307, filed on November 16, 2022, now United States Patent No. 11,872,822, which is a continuation of App. No. 17/717,857, filed on April 11, 2022, now United States Patent No. 11,535,038, which claims priority from Japan Application No. 2021-214129 filed on December 28, 2021 and Japan Application No. 2021-214139 filed on December 28, 2021. The '249 patent is subject to a terminal disclaimer to the '038 and '822 patents and will expire on April 11, 2042.

136. The named inventors on the '249 patent are Shuichi Nakano, Yasuhiko Kosugi, and Jun Sato.

137. Pursuant to 19 C.F.R. § 210.12(c)(i), attached as Appendix V is a certified copy of the prosecution history of the '249 patent (Application No. 18/908,045). Pursuant to 19 C.F.R. § 210.12(c)(ii), copies of prosecution histories of priority applications are attached as Appendices III, VI, VII, VIII and IX.

F. Counterparts to the Asserted Patents

138. Pursuant to 19 C.F.R. § 210.12(a)(9)(v), there are no foreign patents, foreign or domestic patent applications that have not already issued as a patent, and foreign and or domestic patent applications that have been denied, abandoned or withdrawn, corresponding to each Asserted Patent, other than those listed (with an indication of their prosecution status) in the attached Exhibits 71 and 72.

G. Licenses

139. Pursuant to 19 C.F.R. § 210.12(a)(9)(iii), there are no licensees under the Asserted Patents, other than the entities listed in the attached Confidential Exhibit 73.

140. Pursuant to 19 C.F.R. § 210.12(a)(9)(iv), copies of each license agreement for each Asserted Patent that Complainants rely upon to establish their standing to bring this complaint or to support their contention that a domestic industry as defined in section 337(a)(3) exists or is in the process of being established as a result of the domestic activities of one or more of its licensees, are attached hereto as Confidential Exhibits 74-76.

H. Non-Technical Description of the Patented Technologies²¹

141. The Asserted Patents, and the patents asserted in Complainants' other concurrently filed Complaint, belong to four different patent families:

²¹ The general description of the patented technologies provided in this section is not intended and should not be understood to limit the scope of any claim. All non-technical (footnote continued)

- Family A: '347 patent, '508 patent;
- Family B: '172 patent; '934 patent;
- Family C: '038 patent; '248 patent; '249 patent; and
- Family D: '037 patent; '150 patent; '539 patent.²²

142. The patents within each family share the same general specification.

143. The patents in Family C and in Family D also all share the same general specification. Moreover, they share the same earliest effective filing date, and they claim priority to the same Japanese application.

144. A number of the claims of the Asserted Patents are directed to an ink cartridge intended for use with a printer. Other claims of the Asserted Patents are similarly directed to a printing material cartridge, liquid accommodation container, structural body, recording material delivery system, or recording material supply system. Certain other claims of the Asserted Patents are directed to a circuit board (or a board) intended for use with a printer, wherein such a circuit board is usually a component of an ink cartridge. And certain other claims of the Asserted Patents are directed to a device with a processor that is intended for use with a printer, wherein such a device is usually a component of an ink cartridge circuit board.

145. The ink cartridges and other claimed apparatuses include (or operate with) multiple conductive terminals that make physical contact with corresponding terminals or contact forming members of the printer so as to permit the flow of current and enable electrical communication

descriptions of the patents herein are presented to give a general background of those patents. These statements are not intended to be used nor should they be used for purposes of claim construction. Complainants present these statements subject to and without waiver of their right to argue that claim terms should be construed in a particular way under claim construction jurisprudence and the relevant evidence.

²² Because the relationship amongst the patents asserted in the two Complaints provides important context, they are all discussed herein.

between the cartridge and the printer. The Asserted Patents use the term "contact portion" to refer to the portion of a cartridge's terminal that actually contacts the printer's contact forming member during operation. Technical considerations associated with the manufacture and operation of the printers and ink cartridges (and other claimed apparatuses) require that all of the contact portions and their associated terminals be placed in close physical proximity to one another.

146. The terminals and their contact portions have various functions, including functions associated with operation of and communication with an ink cartridge's (or other claimed apparatus's) onboard processor and/or associated memory device storing information about the ink cartridge (e.g., volume of ink remaining, manufacturing date, type or color of ink, source). These functions may include a data function used to read/write data to/from the memory, a reset function used to send a reset signal, a clock function used to send a clock signal, a power function used to supply electrical power, and a ground function used to provide electrical ground.

147. It is important that the printer can effectively and properly communicate with the processor and/or associated memory device storing information about the ink cartridge (or other claimed apparatus). Among other things, such communication helps ensure that the printer can detect when the wrong type of cartridge (e.g., with the wrong ink color or type) is installed in the wrong location or otherwise installed incorrectly, or when a cartridge is running out of ink or otherwise has a problem, and then stop operation before attempting to print in such scenarios. This is important because printing in such scenarios could cause serious printer malfunction or, even worse, permanent damage, requiring potentially expensive repair or replacement of the ink cartridge and/or the printer. Indeed, in some cases, the printers used with these cartridges are expensive and large printers, some weighing as much as 500 pounds; damage to such printers could result in high repair costs. Moreover, because the inventions of the Asserted Patents are

used by various types of ink cartridges, including relatively expensive very high volume ink cartridges, it is highly desirable to also avoid any damage that could render even an ink cartridge inoperable. In addition, customers would lose trust in printing products unable to detect such scenarios and take steps to prevent such malfunction or damage.

148. Prior art ink cartridges (and other claimed apparatuses) and printers suffered from a variety of problems related to ensuring and maintaining effective and proper communication between the printer and the processor and/or associated memory of the ink cartridges and other claimed apparatuses. As discussed more fully below, such problems included disruption of the electrical connection between the cartridge terminals' contact portions and the printer's corresponding contact forming members (e.g., due to the deposit foreign material at the contact portions, improper installation of the cartridge in the printer, or excessive movement of the cartridge during normal operation), as well as problems related to the occurrence of electrical shorting between different contact portions of the ink cartridge. These problems were themselves capable of causing inconvenient malfunction and/or expensive damage to the printer and ink cartridge, any of which could cause customers to lose trust in the printing products.

149. Each of the Asserted Patents incorporates multiple important features providing valuable advantages over the prior art (including over any other Asserted Patents that constitute prior art) for addressing the aforementioned problems (as well as others) and helping to mitigate and prevent associated malfunction and damage to printers and ink cartridges (and other claimed apparatuses). Examples of these features are described below.

1. Family A ('347 Patent, '508 Patent)

150. The Family A patents recognize that disruption of electrical connection between a cartridge terminals' contact portions and a printer's corresponding electrical contact members

during operation may cause various problems, including printer and cartridge malfunction and damage. The patents further recognize that it is especially important to maintain a stable power supply from the printer to the cartridge's memory device via the power supply contact portion because disruption of power to the memory device during operation is particularly likely to cause malfunction and/or damage to the memory device. And the patents disclose and claim multiple features that address these concerns (as well as other concerns).

151. One feature is the arrangement of the contact portions into two or more lines generally extending orthogonally with respect to the insertion direction of the ink cartridge into the printer (which usually, but not necessarily, coincides with the direction of gravity). The ink cartridge may move relative to the insertion direction. Hence, by dispersing the contact portions into lines that are orthogonal to the insertion direction, the movement of the contact portions can be reduced (versus other arrangements), thereby reducing the risk that such movement causes disruption of electrical connection (e.g., due to loss of physical contact between the cartridge's terminals and a printer's corresponding electrical contact members).

152. Another feature is the arrangement of the power supply contact portion between other contact portions in the line of contact portions that is furthest in the insertion direction (or closest to the ink delivery member or port (which typically coincides with being furthest in the insertion direction)). By placing the power supply contact portion in the line that is furthest in the insertion direction (or closest to the ink delivery member or port), the movement of the power supply contact portion can be further reduced (versus other contact portion arrangements), thereby further reducing the risk that such movement causes disruption of the electrical connection supplying power to the memory device. Moreover, by placing the power supply contact portion in the line that is furthest in the insertion direction (or closest to the ink delivery member or port),

there is a reduced risk (versus other contact portion arrangements) that installation of the cartridge into the printer results in the deposit of foreign material (e.g., dust or ink) by the printer's electrical contact members onto the contact portion of the power supply terminal in a manner that could also potentially cause disruption of the electrical connection supplying power supply to the memory device.

153. Another feature is the placement of the power supply contact portion between two other contact portions that have a cartridge detection function. These cartridge detection contact portions are used by the printer to detect whether the cartridge is correctly installed in the printer, which is an important function that, among other things, helps to prevent malfunction or damage to the printer (e.g., by attempting to print while a cartridge is incorrectly installed or missing entirely). Using the cartridge detection contact portions, the printer can detect when there is a problem and stop operation, thereby preventing or at least mitigating malfunction or damage to the printer and cartridge. Moreover, by placing the power supply contact portion in the same line between the two cartridge detection contact portions, the motion of the cartridge during operation is more likely to cause one or both of the cartridge detection contact portions to lose their electrical connection with the printer before the power supply contact portion does, thereby enabling the printer to detect a problem and stop operation before the power supply to the memory device is disrupted, and thus prevent or mitigate any malfunction or damage.

154. These features are incorporated in various combinations and forms into various of the claims of the Family A patents, which are generally directed to a printer ink cartridge, circuit board (e.g., for an ink cartridge), or analogous apparatus that includes a plurality of first terminals used for connection to a memory device, including a power terminal, and also two second terminals used for detecting whether the ink cartridge or circuit board is installed in a printer. Generally,

each terminal includes a contact portion that contacts a corresponding electrical contact member of the printer when the ink cartridge or circuit board is installed therein. And, generally, the contact portions are arranged in multiple lines, with the contact portions of the two second terminals situated in the line that is furthest in the direction of insertion of the ink cartridge or circuit board into the printer, and the contact portion of the power terminal is situated between these contact portions in the same line. Different variations and combinations of these features (along with others) appear in the different claims. Together, they contribute to a novel arrangement of contact portions that is compact in size, yet highly resistant to damage and the risk of damage to the ink cartridge or printer as a result of an incorrectly installed cartridge or a disruption of the electrical connections (especially the power supply to the cartridge's memory device) between the ink cartridge's contact portions and the printer's electrical contact members.

2. Family B ('172 Patent; '934 Patent)

155. The Family B patents also recognize that the disruption of electrical connection between a cartridge terminals' contact portions and a printer's corresponding terminals during operation may cause various problems, including printer and cartridge malfunction and damage. The patents further recognize that it is especially important to maintain stable connections between the printer and the cartridge's memory device because disruption of these connections can cause errors in data read/write operations, as well as other malfunction and/or damage to the memory device. The patents also recognize that prior art means for detecting loss of electrical connection were insufficient. And the patents disclose and claim multiple features that address these concerns (as well as other concerns).

156. One feature is the placement of cartridge detection contact portions at both ends of two contact portion rows, with the contact portions connected to the cartridge's memory device

located between them. Cartridge detection contact portions are used by the printer to detect whether the cartridge is correctly installed in the printer, enabling the printer to detect when there is a problem and stop operation, thereby preventing or at least mitigating malfunction or damage to the printer and cartridge (e.g., by attempting to print while a cartridge is incorrectly installed or missing entirely). However, the patents recognize that prior art incorporation of cartridge detection contact portions was insufficient. For example, the cartridge could be installed in a tilted manner, such that the cartridge detection portions have contact with printer terminals even though one or more memory device contact portions lack a stable connection with printer terminals. In such a situation, the printer may be unable to detect a problem and stop operation, thereby potentially leading to malfunction and/or damage to the memory device. But by placing cartridge detection contact portions at both ends of two contact portion rows, this is less likely to happen. As another example, in operation, the memory device contact portions could lose contact with the printer terminals before the cartridge detection portions did. For example, this could happen when the motion of the cartridge caused more movement by certain memory device contact portions than the movement by the cartridge detection contact portions, resulting in disruption of stable electrical connection between the printer and the cartridge memory device before the printer could detect a problem, thereby potentially leading to malfunction and/or damage to the memory device. But by placing cartridge detection contact portions at both ends of two contact portion rows, with the memory device contact portions between them, the motion of the cartridge during operation is more likely to cause one of the cartridge detection contact portions to lose its electrical connection with the printer before any memory device contact portion does, thereby enabling the printer to detect a problem and stop operation before the connection to the memory device is disrupted, and thus to prevent or mitigate any malfunction or damage.

157. Another feature is the arrangement of the contact portions into two rows. This layout achieves a compact arrangement of contact portions and reduces the risk of misarrangement of contact between cartridge side terminals and printer side terminals. Moreover, in some cases, the ink cartridge may move relative to the insertion direction. By dispersing the contact portions into rows, the movement of the contact portions can be reduced (versus other arrangements), thereby reducing the risk that such movement causes disruption of electrical connection (e.g., due to loss of physical contact between the cartridge's terminals and a printer's corresponding electrical contact members). Moreover, by arranging the contact portions into two such rows, the maximum movement amongst all the contact portions can be further reduced (versus other arrangements), thereby further reducing the risk that such movement causes disruption of electrical connection.

158. These features are incorporated in various combinations and forms into various of the Asserted Claims of the Family B patents, which are generally directed to a printing material cartridge or circuit board (e.g., for an ink cartridge) that includes a plurality of first terminals used for operating a memory device, and also a plurality of second terminals used for detecting connection conditions between the circuit board or ink cartridge and the printer. Generally, the first and second terminals each include a contact portion that contacts a corresponding terminal of the printer when the ink cartridge or circuit board is installed and attached thereto. And, generally, the contact portions are arranged to form two rows, and four contact portions of the second terminals are located at the ends of the two rows. Different variations and combinations of these features (along with others) appear in the different Asserted Claims. Together, they contribute to a novel arrangement of contact portions that is still compact in size, yet even more highly resistant to damage and the risk of damage to the ink cartridge or printer as a result of an incorrectly installed

cartridge or a disruption of the electrical connections (especially to the cartridge's memory device) between the ink cartridge's contact portions and the printer's terminals.

3. Family C ('038 patent; '248 patent; '249 patent)

159. The Family C patents (together with the Family D patents discussed below, which share the same general specification) also recognize that the disruption of electrical connection between cartridge terminals' contact portions and a printer's corresponding terminals during operation may cause various problems, including printer and cartridge malfunction and damage. And the patents also further recognize that it is especially important to maintain stable and proper connections between the printer and the cartridge's memory device because disruption of these connections (and, particularly, the connection for reading/writing data) can cause especially serious malfunction and/or damage. The patents also recognize that prior art ink cartridges and printers suffered from a variety of other problems related to electrical shorting between different terminals and between different contact portions of the ink cartridge. And the patents recognize that prior art means for addressing these concerns were insufficient and/or suboptimal, including because they relied on adding extra terminals and contact portions for cartridge detection and short detection. The Family C and Family D patents disclose and claim multiple features that address these concerns (as well as other concerns).

160. One feature of the Family C patents is the use of the data terminal and data contact portion (i.e., the contact portion of the data terminal used by the printer to read/write data to/from cartridge memory) to also perform a short detection function. Electrical shorting may occur, for example, when a drop of ink (abruptly deposited or accumulated over time) or a foreign object (such as a staple or fine paper dust, moist with ink) forms a conductive bridge between two terminals. When it occurs, electrical shorting between different terminals may cause a malfunction and/or damage when, for example, the signal intended for the ink cartridge or the printer circuitry

coupled to one shorted terminal is received and/or corrupted by the circuitry coupled to another shorted terminal. However, the patents recognize that prior art methods for mitigating such problems were insufficient, including because they relied on incorporation of special short detection terminals and contact portions. For example, they required the addition of more terminals and contact portions (and associated printer terminals and circuitry), which is more expensive and complicated to produce and operate, and more prone to malfunction (e.g., through loss of contact of a contact portion). In addition, the data terminal could still develop a short circuit before the short detection terminals did, resulting in a short circuit before the printer could detect a problem, thereby potentially leading to malfunction and/or damage. But using the data terminal and contact portion for short circuit detection helps resolve these concerns, enabling the printer to detect a short circuit involving the data terminal and immediately stop operation, and thus to prevent or mitigate any malfunction or damage. As discussed below, the Family D patents include more features that enable this additional functionality.

161. Another feature of the Family C patents is the use of a new arrangement of contact portions, wherein contact portions with memory functions (for example, the data contact portion and clock contact portion) are arranged on one side of the face of the cartridge circuit board, while the ground contact portion is arranged on the other side of the face of the cartridge circuit board. This arrangement tends to locate the ground contact portion at a relatively longer distance away from the data contact portion (and other memory contact portions). This arrangement helps suppress the possibility of a short circuit developing between the data terminal and the ground terminal (since short circuits are most likely to develop at the contact portions, where ink and foreign objects are most likely to accumulate), which is significant because short circuits between the data terminal and the ground terminal are difficult for the printer to effectively detect.

162. These features are incorporated in various combinations and forms into various of the Asserted Claims of the Family C patents, which are generally directed to a liquid accommodation container, a board (e.g., for an ink cartridge), or analogous apparatus configured to be mounted in a printing apparatus (e.g., a printer) that includes a plurality of apparatus-side terminals. Generally, the board comprises a base member, a device (e.g., a processing chip) at the base member, and a plurality of terminals at the base member that each include a contact portion and are each electrically coupled to the device. And, generally, the plurality of terminals at the base member includes at least a clock terminal with a clock contact portion, a ground terminal with a ground contact portion, and a data terminal with a data contact portion and, in some cases, configured such that the data terminal can be used to detect whether it has a short circuit with at least one other terminal. In addition, generally, the board and the contact portions are arranged in a particular manner such that the ground contact portion tends to be located relatively distant from at least the data terminal and the clock terminal. Different variations and combinations of these features (along with others) appear in the different Asserted Claims. Together, they contribute to a novel arrangement of contact portions that is more compact in size, yet highly resistant to damage and the risk of damage to the ink cartridge or printer as a result of a short circuit between terminals or contact portions.

4. Family D ('037 patent; '150 patent; '539 patent)

163. The Family D patents disclose and claim additional features that address the concerns discussed above (as well as other concerns).

164. One feature of the Family D patents is the use of the data terminal to also perform a short detection function. As discussed above in connection with the Family C patents, this feature provides an improved mechanism for short detection, enabling the printer to detect a short circuit

involving the data terminal and immediately stop operation, and thus to prevent or mitigate any malfunction or damage.

165. Another feature of the Family D patents is the use of the data terminal to perform a cartridge detection function. Cartridge detection functions allow the printer to detect whether the cartridge is correctly installed in the printer, enabling the printer to detect when there is a problem and stop operation, thereby preventing or at least mitigating malfunction or damage to the printer and cartridge (e.g., by attempting to print while a cartridge is incorrectly installed or missing entirely). However, the patents recognize that prior art incorporation of special cartridge detection terminals was insufficient. For example, it required the addition of more terminals (and associated printer terminals and circuitry), which is more expensive and complicated to produce and operate, and more prone to malfunction (e.g., through loss of contact). In addition, the memory device terminals could still lose contact with the printer terminals before the cartridge detection terminals did, resulting in disruption of stable electrical connection between the printer and the cartridge memory device before the printer could detect a problem, thereby potentially leading to malfunction and/or damage to the memory device. But using the data terminal for cartridge detection helps resolve these concerns.

166. Another feature of the Family D patents is the use of a processor on the cartridge to set or allow a specific combination of low, then high, then low voltages on the data terminal at predetermined timings corresponding to the clock signal received from the printer. These voltage sequences at the predetermined timings efficiently and effectively indicate to the printer whether the cartridge is properly installed and whether there is a short circuit between the data terminal and another terminal. These features enable the printer to detect a problem and immediately stop operation, and thus to prevent or mitigate any malfunction or damage.

167. These features are incorporated in various combinations and forms into various of the claims of the Family D patents, which are generally directed to a liquid accommodation container, a board (e.g., for an ink cartridge), a device (e.g., an IC chip for an ink cartridge), or analogous apparatus configured with a processor that is configured to be electrically coupled to a plurality of terminals of a liquid accommodation container (e.g., an ink cartridge for a printer), including at least a data terminal and a clock terminal. Generally, the processor of the device is programmed to perform certain specific functions, such as, for example, setting a combination of data voltages at the data terminal at a predetermined timing in relation to a clock signal received at the clock terminal. And, generally, the combination of data voltages indicates to a printing apparatus (e.g., a printer) that the data terminal does not have a short circuit with at least on other terminal of the liquid accommodation container, and that the liquid accommodation container is correctly mounted in the printing apparatus. Different variations and combinations of these features (along with others) appear in the different claims. Together, they contribute to a novel and improved way for the data terminal on ink cartridges and analogous devices to effectively communicate to the printer that the cartridge is correctly installed and the data terminal does not have a short circuit with other terminals among the plurality of terminals.

V. UNLAWFUL AND UNFAIR ACTS OF THE PROPOSED RESPONDENTS – PATENT INFRINGEMENT

168. Each Proposed Respondent is accused of infringing each Asserted Patent.

169. The Accused Ink Cartridge Products infringe one or more of the following claims of the Asserted Patents in this Complaint, as follows:

- Claims 1-3, 7-8, and 10 of the '172 patent;
- Claims 1, 7-8, and 10 of the '934 patent;
- Claims 1, 7, 12, 17, 19-20, and 24 of the '038 patent;

- Claims 1, 7, 13, 15, and 20-21 of the '248 patent; and
- Claims 1-2, 7-8, 13-15, and 20-22 of the '249 patent.

A. Infringement of the '172 Patent

170. On information and belief, Ocbestjet Group imports and sells after importation into the United States ink cartridges that infringe at least claims 1-3, 7-8, and 10 of the '172 patent. A photograph of a Ocbestjet Group Group 2 ink cartridge is attached as Seitz Exhibit 1.21, p. 11. A claim chart that applies the asserted independent claim (claim 1) of the '172 patent to the Ocbestjet Group Group 2 ink cartridge is attached hereto as Exhibit 4.

171. On information and belief, Tatrix imports and sells after importation into the United States ink cartridges that infringe at least claims 1-3, 7-8, and 10 of the '172 patent. A photograph of a Tatrix Group 2 ink cartridge is attached as Seitz Exhibit 125, pp. 14-15. A claim chart that applies the asserted independent claim (claim 1) of the '172 patent to the Tatrix Group 2 ink cartridge is attached hereto as Exhibit 5.

172. On information and belief, Luozhi imports and sells after importation into the United States ink cartridges that infringe at least claims 1-3, 7-8, and 10 of the '172 patent. A photograph of a Luozhi Group 2 ink cartridge is attached as Seitz Exhibit 1.28, pp. 23-24. A claim chart that applies the asserted independent claim (claim 1) of the '172 patent to the Luozhi Group 2 ink cartridge is attached hereto as Exhibit 6.

173. On information and belief, Hongxinyuan imports and sells after importation into the United States ink cartridges that infringe at least claims 1-3, 7-8, and 10 of the '172 patent. A photograph of a Hongxinyuan Group 2 ink cartridge is attached as Seitz Exhibit 1.37, p. 49. A claim chart that applies the asserted independent claim (claim 1) of the '172 patent to the Hongxinyuan Group 2 ink cartridge is attached hereto as Exhibit 7.

174. On information and belief, Kaizhen Tech imports and sells after importation into the United States ink cartridges that infringe at least claims 1-3, 7-8, and 10 of the '172 patent. A photograph of a Kaizhen Tech Group 2 ink cartridge is attached as Seitz Exhibit 1.46, p. 38. A claim chart that applies the asserted independent claim (claim 1) of the '172 patent to the Kaizhen Tech Group 2 ink cartridge is attached hereto as Exhibit 8.

175. On information and belief, Zhenyang Electronics imports and sells after importation into the United States ink cartridges that infringe at least claims 1-3, 7-8, and 10 of the '172 patent. A photograph of a Zhenyang Electronics Group 2 ink cartridge is attached as Seitz Exhibit 1.51, p. 21. A claim chart that applies the asserted independent claim (claim 1) of the '172 patent to the Zhenyang Electronics Group 2 ink cartridge is attached hereto as Exhibit 9.

176. On information and belief, Shangrao imports and sells after importation into the United States ink cartridges that infringe at least claims 1-3, 7-8, and 10 of the '172 patent. A photograph of a Shangrao Group 2 ink cartridge is attached as Seitz Exhibit 1.61, p. 33. A claim chart that applies the asserted independent claim (claim 1) of the '172 patent to the Shangrao Group 2 ink cartridge is attached hereto as Exhibit 10.

177. On information and belief, Hengyunda imports and sells after importation into the United States ink cartridges that infringe at least claims 1-3, 7-8, and 10 of the '172 patent. A photograph of a Hengyunda Group 2 ink cartridge is attached as Seitz Exhibit 1.66, p. 22. A claim chart that applies the asserted independent claim (claim 1) of the '172 patent to the Hengyunda Group 2 ink cartridge is attached hereto as Exhibit 11.

178. On information and belief, Rongtaida imports and sells after importation into the United States ink cartridges that infringe at least claims 1-3, 7-8, and 10 of the '172 patent. A photograph of a Rongtaida Group 2 ink cartridge is attached as Seitz Exhibit 1.72, p. 18. A claim

chart that applies the asserted independent claim (claim 1) of the '172 patent to the Rongtaida Group 2 ink cartridge is attached hereto as Exhibit 12.

179. On information and belief, Shi Wei Tai imports and sells after importation into the United States ink cartridges that infringe at least claims 1-3, 7-8, and 10 of the '172 patent. A photograph of a Shi Wei Tai Group 2 ink cartridge is attached as Seitz Exhibit 1.77, p. 31. A claim chart that applies the asserted independent claim (claim 1) of the '172 patent to the Shi Wei Tai Group 2 ink cartridge is attached hereto as Exhibit 13.

180. On information and belief, Yixing imports and sells after importation into the United States ink cartridges that infringe at least claims 1-3, 7-8, and 10 of the '172 patent. A photograph of a Yixing Group 2 ink cartridge is attached as Seitz Exhibit 1.82. p. 26. A claim chart that applies the asserted independent claim (claim 1) of the '172 patent to the Yixing Group 2 ink cartridge is attached hereto as Exhibit 14.

181. On information and belief, Mei Jin imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1-3, 7-8, and 10 of the '172 patent. A photograph of a Mei Jin Group 2 ink cartridge is attached as Seitz Exhibit 1.87, p. 50. A claim chart that applies the asserted independent claim (claim 1) of the '172 patent to the Mei Jin Group 2 ink cartridge is attached hereto as Exhibit 15.

182. On information and belief, Zhuhai MeiJiAn imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1-3, 7-8, and 10 of the '172 patent. A photograph of a Zhuhai MeiJiAn Group 2 ink cartridge is attached as Seitz Exhibit 1.94, p. 41. A claim chart that applies the asserted independent claim (claim 1) of the '172 patent to the Zhuhai MeiJiAn Group 2 ink cartridge is attached hereto as Exhibit 16.

183. On information and belief, Qiong Wang imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1-3, 7-8, and 10 of the '172 patent. A photograph of a Qiong Wang Group 2 ink cartridge is attached as Seitz Exhibit 1.99, p. 31. A claim chart that applies the asserted independent claim (claim 1) of the '172 patent to the Qiong Wang Group 2 ink cartridge is attached hereto as Exhibit 17.

184. On information and belief, Shen Zhen Sailing imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1-3, 7-8, and 10 of the '172 patent. A photograph of a Shen Zhen Sailing Group 2 ink cartridge is attached as Seitz Exhibit 1.103, p. 33. A claim chart that applies the asserted independent claim (claim 1) of the '172 patent to the Shen Zhen Sailing Group 2 ink cartridge is attached hereto as Exhibit 18.

185. On information and belief, Shuofeng imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1-3, 7-8, and 10 of the '172 patent. A photograph of a Shuofeng Group 2 ink cartridge is attached as Seitz Exhibit 1.108, p. 33. A claim chart that applies the asserted independent claim (claim 1) of the '172 patent to the Shuofeng Group 2 ink cartridge is attached hereto as Exhibit 19.

186. On information and belief, Bowang imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1-3, 7-8, and 10 of the '172 patent. A photograph of a Bowang Group 2 ink cartridge is attached as Seitz Exhibit 1.113, p. 32. A claim chart that applies the asserted independent claim (claim 1) of the '172 patent to the Bowang Group 2 ink cartridge is attached hereto as Exhibit 20.

187. On information and belief, Mountain Peak imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1-3, 7-8, and 10 of the '172 patent. A photograph of a Mountain Peak Group 2 ink cartridge is attached as Seitz Exhibit 1.138, p. 21.

A claim chart that applies the asserted independent claim (claim 1) of the '172 patent to the Mountain Peak Group 2 ink cartridge is attached hereto as Exhibit 21.

188. On information and belief, Straightouttink imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1-3, 7-8, and 10 of the '172 patent. A photograph of a Straightouttink Group 2 ink cartridge is attached as Seitz Exhibit 1.156, p. 42. A claim chart that applies the asserted independent claim (claim 1) of the '172 patent to the Straightouttink Group 2 ink cartridge is attached hereto as Exhibit 22.

189. Further discovery may reveal that additional products infringe other claims of the '172 patent.

B. Infringement of the '934 Patent

190. On information and belief, Ocbestjet Group imports and sells after importation into the United States ink cartridges that infringe at least claims 1, 7-8, and 10 of the '934 patent. A photograph of a Ocbestjet Group Group 2 ink cartridge is attached as Seitz Exhibit 1.21, p. 11. A claim chart that applies the asserted independent claim (claim 1) of the '934 patent to the Ocbestjet Group Group 2 ink cartridge is attached hereto as Exhibit 23.

191. On information and belief, Tatrix imports and sells after importation into the United States ink cartridges that infringe at least claims 1, 7-8, and 10 of the '934 patent. A photograph of a Tatrix Group 2 ink cartridge is attached as Seitz Exhibit 1.25, pp. 14-15. A claim chart that applies the asserted independent claim (claim 1) of the '934 patent to the Tatrix Group 2 ink cartridge is attached hereto as Exhibit 24.

192. On information and belief, Luozhi imports and sells after importation into the United States ink cartridges that infringe at least claims 1, 7-8, and 10 of the '934 patent. A photograph of a Luozhi Group 2 ink cartridge is attached as Seitz Exhibit 1.28, pp. 23-24. A claim

chart that applies the asserted independent claim (claim 1) of the '934 patent to the Luozhi Group 2 ink cartridge is attached hereto as Exhibit 25.

193. On information and belief, Hongxinyuan imports and sells after importation into the United States ink cartridges that infringe at least claims 1, 7-8, and 10 of the '934 patent. A photograph of a Hongxinyuan Group 2 ink cartridge is attached as Seitz Exhibit 1.37, p. 49. A claim chart that applies the asserted independent claim (claim 1) of the '934 patent to the Hongxinyuan Group 2 ink cartridge is attached hereto as Exhibit 26.

194. On information and belief, Kaizhen Tech imports and sells after importation into the United States ink cartridges that infringe at least claims 1, 7-8, and 10 of the '934 patent. A photograph of a Kaizhen Tech Group 2 ink cartridge is attached as Seitz Exhibit 1.46, p. 38. A claim chart that applies the asserted independent claim (claim 1) of the '934 patent to the Kaizhen Tech Group 2 ink cartridge is attached hereto as Exhibit 27.

195. On information and belief, Zhenyang Electronics imports and sells after importation into the United States ink cartridges that infringe at least claims 1, 7-8, and 10 of the '934 patent. A photograph of a Zhenyang Electronics Group 2 ink cartridge is attached as Seitz Exhibit 1.51, p. 21. A claim chart that applies the asserted independent claim (claim 1) of the '934 patent to the Zhenyang Electronics Group 2 ink cartridge is attached hereto as Exhibit 28.

196. On information and belief, Shangrao imports and sells after importation into the United States ink cartridges that infringe at least claims 1, 7-8, and 10 of the '934 patent. A photograph of a Shangrao Group 2 ink cartridge is attached as Seitz Exhibit 1.61, p. 33. A claim chart that applies the asserted independent claim (claim 1) of the '934 patent to the Shangrao Group 2 ink cartridge is attached hereto as Exhibit 29.

197. On information and belief, Hengyunda imports and sells after importation into the United States ink cartridges that infringe at least claims 1, 7-8, and 10 of the '934 patent. A photograph of a Hengyunda Group 2 ink cartridge is attached as Seitz Exhibit 1.66, p. 22. A claim chart that applies the asserted independent claim (claim 1) of the '934 patent to the Hengyunda Group 2 ink cartridge is attached hereto as Exhibit 30.

198. On information and belief, Rongtaida imports and sells after importation into the United States ink cartridges that infringe at least claims 1, 7-8, and 10 of the '934 patent. A photograph of a Rongtaida Group 2 ink cartridge is attached as Seitz Exhibit 1.72, p. 18. A claim chart that applies the asserted independent claim (claim 1) of the '934 patent to the Rongtaida Group 2 ink cartridge is attached hereto as Exhibit 31.

199. On information and belief, Shi Wei Tai imports and sells after importation into the United States ink cartridges that infringe at least claims 1, 7-8, and 10 of the '934 patent. A photograph of a Shi Wei Tai Group 2 ink cartridge is attached as Seitz Exhibit 1.77, p. 31. A claim chart that applies the asserted independent claim (claim 1) of the '934 patent to the Shi Wei Tai Group 2 ink cartridge is attached hereto as Exhibit 32.

200. On information and belief, Yixing imports and sells after importation into the United States ink cartridges that infringe at least claims 1, 7-8, and 10 of the '934 patent. A photograph of a Yixing Group 2 ink cartridge is attached as Seitz Exhibit 1.82, p. 26. A claim chart that applies the asserted independent claim (claim 1) of the '934 patent to the Yixing Group 2 ink cartridge is attached hereto as Exhibit 33.

201. On information and belief, Mei Jin imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1, 7-8, and 10 of the '934 patent. A photograph of a Mei Jin Group 2 ink cartridge is attached as Seitz Exhibit 1.87, p. 50. A claim

chart that applies the asserted independent claim (claim 1) of the '934 patent to the Mei Jin Group 2 ink cartridge is attached hereto as Exhibit 34.

202. On information and belief, Zhuhai MeiJiAn imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1, 7-8, and 10 of the '934 patent. A photograph of a Zhuhai MeiJiAn Group 2 ink cartridge is attached as Seitz Exhibit 1.94, p. 41. A claim chart that applies the asserted independent claim (claim 1) of the '934 patent to the Zhuhai MeiJiAn Group 2 ink cartridge is attached hereto as Exhibit 35.

203. On information and belief, Qiong Wang imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1, 7-8, and 10 of the '934 patent. A photograph of a Qiong Wang Group 2 ink cartridge is attached as Seitz Exhibit 1.99, p. 31. A claim chart that applies the asserted independent claim (claim 1) of the '934 patent to the Qiong Wang Group 2 ink cartridge is attached hereto as Exhibit 36.

204. On information and belief, Shen Zhen Sailing imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1, 7-8, and 10 of the '934 patent. A photograph of a Shen Zhen Sailing Group 2 ink cartridge is attached as Seitz Exhibit 1.103, p. 33. A claim chart that applies the asserted independent claim (claim 1) of the '934 patent to the Shen Zhen Sailing Group 2 ink cartridge is attached hereto as Exhibit 37.

205. On information and belief, Shuofeng imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1, 7-8, and 10 of the '934 patent. A photograph of a Shuofeng Group 2 ink cartridge is attached as Seitz Exhibit 1.108, p. 33. A claim chart that applies the asserted independent claim (claim 1) of the '934 patent to the Shuofeng Group 2 ink cartridge is attached hereto as Exhibit 38.

206. On information and belief, Bowang imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1, 7-8, and 10 of the '934 patent. A photograph of a Bowang Group 2 ink cartridge is attached as Seitz Exhibit 1.113, p. 32. A claim chart that applies the asserted independent claim (claim 1) of the '934 patent to the Bowang Group 2 ink cartridge is attached hereto as Exhibit 39.

207. On information and belief, Mountain Peak imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1, 7-8, and 10 of the '934 patent. A photograph of a Mountain Peak Group 2 ink cartridge is attached as Seitz Exhibit 1.138, p. 21. A claim chart that applies the asserted independent claim (claim 1) of the '934 patent to the Mountain Peak Group 2 ink cartridge is attached hereto as Exhibit 40.

208. On information and belief, Straightouttink imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1, 7-8, and 10 of the '934 patent. A photograph of a Straightouttink Group 2 ink cartridge is attached as Seitz Exhibit 1.138, p. 21. A claim chart that applies the asserted independent claim (claim 1) of the '934 patent to the Straightouttink Group 2 ink cartridge is attached hereto as Exhibit 41.

209. Further discovery may reveal that additional products infringe other claims of the '934 patent.

C. Infringement of the '038 Patent

210. On information and belief, Kaizhen Tech imports and sells after importation into the United States ink cartridges that infringe at least claims 1, 7, 12, 17, 19-20, and 24 of the '038 patent. A photograph of a Kaizhen Tech Group 3 ink cartridge is attached as Seitz Exhibit 1.46, p. 41. A claim chart that applies the asserted independent claim (claim 1) of the '038 patent to the Kaizhen Tech Group 3 ink cartridge is attached hereto as Exhibit 42.

211. On information and belief, Shangrao imports and sells after importation into the United States ink cartridges that infringe at least claims 1, 7, 12, 17, 19-20, and 24 of the '038 patent. A photograph of a Shangrao Group 3 ink cartridge is attached as Seitz Exhibit 1.61, p. 28. A claim chart that applies the asserted independent claim (claim 1) of the '038 patent to the Shangrao Group 3 ink cartridge is attached hereto as Exhibit 43.

212. On information and belief, Hengyunda imports and sells after importation into the United States ink cartridges that infringe at least claims 1, 7, 12, 17, 19-20, and 24 of the '038 patent. A photograph of a Hengyunda Group 3 ink cartridge is attached as Seitz Exhibit 1.67, p. 17. A claim chart that applies the asserted independent claim (claim 1) of the '038 patent to the Hengyunda Group 3 ink cartridge is attached hereto as Exhibit 44.

213. On information and belief, Mountain Peak imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1, 7, 12, 17, 19-20, and 24 of the '038 patent. A photograph of a Mountain Peak Group 3 ink cartridge is attached as Seitz Exhibit 1.137, p. 21. A claim chart that applies the asserted independent claim (claim 1) of the '038 patent to the Mountain Peak Group 3 ink cartridge is attached hereto as Exhibit 45.

214. On information and belief, Straightouttaink imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1, 7, 12, 17, 19-20, and 24 of the '038 patent. A photograph of a Straightouttaink Group 3 ink cartridge is attached as Seitz Exhibit 1.157, p. 19. A claim chart that applies the asserted independent claim (claim 1) of the '038 patent to the Straightouttaink Group 3 ink cartridge is attached hereto as Exhibit 46.

215. Further discovery may reveal that additional products infringe other claims of the '038 patent.

D. Infringement of the '248 Patent

216. On information and belief, Kaizhen Tech imports and sells after importation into the United States ink cartridges that infringe at least claims 1, 7, 13, 15, and 20-21 of the '248 patent. A photograph of a Kaizhen Tech Group 3 ink cartridge sold after issuance of the '248 Patent is attached as Seitz Exhibit 1.159, pp. 19-20. A claim chart that applies the asserted independent claims (claims 1, 7, 13, 20) of the '248 patent to another Kaizhen Tech Group 3 ink cartridge, of the same type, is attached hereto as Exhibit 47.

217. On information and belief, Shangrao imports and sells after importation into the United States ink cartridges that infringe at least claims 1, 7, 13, 15, and 20-21 of the '248 patent. A photograph of a Shangrao Group 3 ink cartridge sold after issuance of the '248 Patent is attached as Seitz Exhibit 1.160, pp. 18-19. A claim chart that applies the asserted independent claims (claims 1, 7, 13, 20) of the '248 patent to another Shangrao Group 3 ink cartridge, of the same type, is attached hereto as Exhibit 48.

218. On information and belief, Hengyunda imports and sells after importation into the United States ink cartridges that infringe at least claims 1, 7, 13, 15, and 20-21 of the '248 patent. A photograph of a Hengyunda Group 3 ink cartridge sold after issuance of the '248 Patent is attached as Seitz Exhibit 1.161, pp. 19-20. A claim chart that applies the asserted independent claims (claims 1, 7, 13, 20) of the '248 patent to another Hengyunda Group 3 ink cartridge, of the same type, is attached hereto as Exhibit 49.

219. On information and belief, Mountain Peak imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1, 7, 13, 15, and 20-21 of the '248 patent. A photograph of a Mountain Peak Group 3 ink cartridge sold after issuance of the '248 Patent is attached as Seitz Exhibit 1.162, pp. 20-21. A claim chart that applies the asserted

independent claims (claims 1, 7, 13, 20) of the '248 patent to another Mountain Peak Group 3 ink cartridge, of a similar type, is attached hereto as Exhibit 50. Claim charts that apply the asserted independent claims (claims 1, 7, 13, 20) of the '248 patent to other Group 3 Accused Ink Cartridge Products, of the same or similar type, are attached hereto as Exhibits 47-49 and 51.

220. On information and belief, Straightouttink imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1, 7, 13, 15, and 20-21 of the '248 patent. A photograph of a Straightouttink Group 3 ink cartridge sold after issuance of the '248 Patent is attached as Seitz Exhibit 1.163, p. 19. A claim chart that applies the asserted independent claims (claims 1, 7, 13, 20) of the '248 patent to another Straightouttink Group 3 ink cartridge, of the same type, is attached hereto as Exhibit 51.

221. Further discovery may reveal that additional products infringe other claims of the '248 patent.

E. Infringement of the '249 Patent

222. On information and belief, Kaizhen Tech imports and sells after importation into the United States ink cartridges that infringe at least claims 1-2, 7-8, 13-15, and 20-22 of the '249 patent. A photograph of a Kaizhen Tech Group 3 ink cartridge sold after issuance of the '249 Patent is attached as Seitz Exhibit 1.159 pp. 19-20. A claim chart that applies the asserted independent claims (claims 1, 7, 13, 20) of the '249 patent to another Kaizhen Tech Group 3 ink cartridge, of the same type, is attached hereto as Exhibit 52.

223. On information and belief, Shangrao imports and sells after importation into the United States ink cartridges that infringe at least claims 1-2, 7-8, 13-15, and 20-22 of the '249 patent. A photograph of a Shangrao Group 3 ink cartridge sold after issuance of the '249 Patent is attached as Seitz Exhibit 1.160, pp. 18-19. A claim chart that applies the asserted independent

claims (claims 1, 7, 13, 20) of the '249 patent to another Shangrao Group 3 ink cartridge, of the same type, is attached hereto as Exhibit 53.

224. On information and belief, Hengyunda imports and sells after importation into the United States ink cartridges that infringe at least claims 1-2, 7-8, 13-15, and 20-22 of the '249 patent. A photograph of a Hengyunda Group 3 ink cartridge sold after issuance of the '249 Patent is attached as Seitz Exhibit 1.161, pp. 19-20. A claim chart that applies the asserted independent claims (claims 1, 7, 13, 20) of the '249 patent to another Hengyunda Group 3 ink cartridge, of the same type, is attached hereto as Exhibit 54.

225. On information and belief, Mountain Peak imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1-2, 7-8, 13-15, and 20-22 of the '249 patent. A photograph of a Mountain Peak Group 3 ink cartridge sold after issuance of the '249 Patent is attached as Seitz Exhibit 1.162, pp. 20-21. A claim chart that applies the asserted independent claims (claims 1, 7, 13, 20) of the '249 patent to another Mountain Peak Group 3 ink cartridge, of a similar type, is attached hereto as Exhibit 55. Claim charts that apply the asserted independent claims (claims 1, 7, 13, 20) of the '249 patent to other Group 3 Accused Ink Cartridge Products, of the same or similar type, are attached hereto as Exhibits 52-54 and 56.

226. On information and belief, Straightouttink imports and/or sells after importation into the United States ink cartridges that infringe at least claims 1-2, 7-8, 13-15, and 20-22 of the '249 patent. A photograph of a Straightouttink Group 3 ink cartridge sold after issuance of the '249 Patent is attached as Seitz Exhibit 1.163, p. 19. A claim chart that applies the asserted independent claims (claims 1, 7, 13, 20) of the '249 patent to another Straightouttink Group 3 ink cartridge, of the same type, is attached hereto as Exhibit 56.

227. Further discovery may reveal that additional products infringe other claims of the '249 patent.

VI. SPECIFIC INSTANCES OF IMPORTATION AND SALE

A. Ocbestjet Group

228. On information and belief, the Ocbestjet Group proposed respondents, namely, Dongguan Ocbestjet and Ocbestjet HK, individually and/or collectively is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products, including Accused Ink Cartridge Products and components manufactured in China and/or Hong Kong. *See* Seitz Decl. ¶¶ 13-35, Exhs. 1.1-1.21. On information and belief, the Ocbestjet Group manufactures Accused Ink Cartridge Products and components in China and/or Hong Kong and ships them, directly or through intermediaries, for sale within the United States. *See id.* On information and belief, these Accused Ink Cartridge Products and components include substitutes for each of the Epson ink cartridge families identified in the Murch Declaration at ¶¶ 28, 46, 70.

229. The specific instances of importation of Accused Ink Cartridge Products set forth below are representative examples of unlawful imports of Accused Ink Cartridge Products and components.

230. In September 2021, Epson's representative visited Ocbestjet Group's store on *alibab.com* at <https://ocbestjet.en.alibaba.com> (the "Ocbestjet Alibaba Store"). *See* Seitz Decl. ¶ 24, Exh. 1.10. In September 2021, Epson's representative placed an order with the Ocbestjet Alibaba Store for Epson compatible 804 circuit boards. *See id.* These Epson compatible 804 circuit boards were later shipped directly from Ocbestjet Group's address in China to Epson representative's California Postal Box. *See id.* The shipping labels for all of these circuit boards identifies that they were shipped directly from Ocbestjet Group's address in China. *See id.*

Additionally, the packaging for circuit boards state that they are "Made in China." When combined with refillable cartridges, discussed below, these circuit boards become Group 2 Accused Ink Cartridge Products that infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

231. Subsequently, in November 2021, Epson's representative placed an order with the Ocbestjet Alibaba Store for Epson compatible 804 refillable cartridges. *See* Seitz Decl. ¶ 26, Exh. 1.12. These Epson compatible 804 refillable cartridges were later shipped directly from China to the Epson representative's California Postal Box. *See id.* The shipping label for these refillable cartridges identifies that they were shipped from China. *See id.* When combined with the Epson compatible 804 circuit boards, discussed above, these Epson compatible 804 refillable cartridges become Group 2 Accused Ink Cartridge Products that infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

232. In October 2021, and February 2022, Epson's representative made additional purchases in the United States of Epson compatible ink 804, 702, SJIC30P, and T04Q1 cartridges from the Ocbestjet Alibaba Store. *See id.* at ¶¶ 25, 27-28, Exhs. 1.11, 1.13-1.14. These Epson compatible ink 804, 702, SJIC30P, and T04Q1 cartridges were later shipped from China to the Epson representative's California Postal Box. *See id.* The shipping labels for all of these cartridges identifies that they were shipped directly from China. *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

233. In October 2024, November 2024, January 2025, and February 2025, Epson's representative made additional purchases in the United States of Epson compatible ink T05B, 782, T01D, and 725 cartridges from the Ocbestjet AliExpress Store. *See* Seitz Decl. ¶¶ 29-35, Exhs. 1.15-1.21. These Epson compatible ink T05B, 782, T01D, and 725 cartridges were later shipped directly from Ocbestjet in China to the Epson representative's California Postal Box. *See id.* The shipping labels for all of these cartridges identifies that they were shipped directly from China. *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

B. Tatrix

234. On information and belief, Tatrix is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products and components, including Accused Ink Cartridge Products and components manufactured in China. *See* Seitz Decl. ¶¶ 36-41, Exhs. 1.22-1.26. On information and belief, these Accused Ink Cartridge Products and components include substitutes for each of the Epson ink cartridge families identified in the Murch Declaration at ¶¶ 28, 46, 70.

235. The specific instances of importation of Accused Ink Cartridge Products and components set forth below are representative examples of unlawful imports of Accused Ink Cartridge Products and components.

236. In November 2024, Epson's representative visited Tatrix's store on *amazon.com* at <https://www.aliexpress.com/store/1100528945> (the "Tatrix AliExpress Store") and placed an order with the Tatrix AliExpress Store for Epson compatible ink 725 cartridges. *See* Seitz Decl. ¶ 39,

Exh. 1.24. The Epson compatible 725 cartridges were later shipped directly from China to Epson representative's California Postal Box. *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

237. Subsequently, in December 2024, Epson's representative made additional purchases in the United States of Epson compatible ink 725 cartridges from the Tatrix AliExpress Store. *See* Seitz Decl. at ¶ 40, Exh. 1.25. Epson's representative in the United States received these Epson compatible ink 725 cartridges at the Epson representative's California Postal Box. *See id.* The shipping labels for these Epson compatible ink 725 cartridges identifies that they were shipped directly from China. *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

238. Subsequently, in January 2025, Epson's representative made additional purchases in the United States of Epson compatible ink 694 refillable cartridges and Epson compatible 694 circuit boards. *See* Seitz Decl. ¶ 41, Exhs. 1.26. Epson's representative in the United States received these Epson compatible ink 694 refillable cartridges and Epson compatible 694 circuit boards at the Epson representative's California Postal Box. *See id.* The shipping labels for all of these cartridges and chips identifies that they were shipped directly from China. *See id.* Additionally, the packaging for circuit boards state that they are "Made in China." *See id.* When combined, these refillable cartridges and circuit boards Group 2 Accused Ink Cartridge Products that infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

C. Luozhi

239. On information and belief, Luozhi is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products, including Accused Ink Cartridge Products manufactured in China. *See* Seitz Decl. ¶¶ 42-47, Exhs. 1.27-1.30. On information and belief, Luozhi manufactures Accused Ink Cartridge Products in China and ships them, directly or through intermediaries, for sale within the United States. On information and belief, these Accused Ink Cartridge Products include substitutes for each of the Epson ink cartridge families identified in the Murch Declaration at ¶¶ 28, 46, 70.

240. The specific instances of importation of Accused Ink Cartridge Products set forth below are representative examples of unlawful imports of Accused Ink Cartridge Products.

241. In October 2024, Epson's representative visited Luozhi's store named kaz8821 on *ebay.com* at <https://www.ebay.com/str/kaz8821> (the "kaz8821 Store") and placed an order with Luozhi's kaz8821 Store for Epson compatible ink 725 cartridges. *See* Seitz Decl. ¶ 45, Exh. 1.28. The Epson compatible 725 cartridges were later shipped directly from Luozhi's address in China to Epson representative's California Postal Box. *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

242. Subsequently, in October 2024, Epson's representative made additional purchases in the United States from Luozhi's kaz8821 Store for Epson compatible ink 804, 858, T05A, and 782 cartridges. *See* Seitz Decl. ¶¶ 46-47, Exhs. 1.29-1.30. The Epson compatible 804, 858, T05A, and 782 cartridges were later shipped directly from China to Epson representative's California Postal Box. *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the

Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

D. Hongxinyuan

243. On information and belief, Hongxinyuan is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products, including Accused Cartridge Products manufactured in China. *See* Seitz Decl. ¶¶ 48-56, Exhs. 1.31-1.38. On information and belief, Hongxinyuan manufactures Accused Ink Cartridge Products in China and ships them, directly or through intermediaries, for sale within the United States. *See id.* On information and belief, these Accused Ink Cartridge Products include substitutes for each of the Epson ink cartridge families identified in the Murch Declaration at ¶¶ 28, 46, 70.

244. The specific instances of importation of Accused Ink Cartridge Products set forth below are representative examples of unlawful imports of Accused Ink Cartridge Products.

245. In August 2024, Epson's representative visited Hongxinyuan's store named Vi-US on *amazon.com* at <https://www.amazon.com/sp?marketplaceID=ATVPDKIKX0DER&seller=AUBB9CGXLLE9V> (the "Vi-US Store") and placed an order with Hongxinyuan's Vi-US Store for Epson compatible ink 252 and 822 cartridges. *See* Seitz Decl. ¶ 52, Exh. 1.34. The Epson compatible ink 252 and 822 cartridges were later shipped from an Amazon fulfillment center to the Epson representative's California Postal Box. *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

246. Subsequently, in September 2024, October 2024, and November 2024, Epson's representative Epson's representative made additional purchases in the United States from Hongxinyuan's Vi-US Store for Epson compatible ink 302, 252, 802, and 212 cartridges. *See* Seitz Decl. ¶¶ 53-56, Exhs. 1.35-1.38. The Epson compatible ink 302, 252, 802, and 212 cartridges were later shipped from an Amazon fulfillment center to the Epson representative's California Postal Box. *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

E. Kaizhen Tech

247. On information and belief, Kaizhen Tech is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products, including Accused Cartridge Products manufactured in China. *See* Seitz Decl. ¶¶ 57-66, Exhs. 1.39-1.46, 1.159. On information and belief, these Accused Ink Cartridge Products include substitutes for each of the Epson ink cartridge families identified in the Murch Declaration at ¶¶ 28, 46, 70.

248. The specific instances of importation of Accused Ink Cartridge Products set forth below are representative examples of unlawful imports of Accused Ink Cartridge Products.

249. In August 2023, Epson's representative visited Kaizhen's store named PAYFORLESS at <https://www.amazon.com/sp?ie=UTF8&seller=A37QDPEV3FK74L> (the "PayForLess Store") on *amazon.com* and placed an order with Kaizhen's PayForLess Store for Epson compatible ink 212 cartridges. *See* Seitz Decl. ¶ 61, Exh. 1.42. The Epson compatible ink 212 cartridges were later shipped from an Amazon fulfillment center to the Epson representative's California Postal Box. *See id.* These Group 2 Accused Ink Cartridge Products infringe one or

more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

250. Subsequently, in September 2023, March 2024, May 2024, and October 2024, Epson's representative Epson's representative made additional purchases in the United States from Hongxinyuan's PayForLess Store for Epson compatible ink 222, 232, 302, and 802 cartridges. *See* Seitz Decl. ¶¶ 62-66, Exhs. 1.43-1.46, 1.159. The Epson compatible ink 222, 232, 302, and 802 cartridges were later shipped from an Amazon fulfillment center to the Epson representative's California Postal Box. *See id.* The Group 2 (302, 802) Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41. The Group 3 (222, 232) Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 3 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 42-56.

F. Zhenyang Electronics

251. On information and belief, Zhenyang Electronics is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products, including Accused Ink Cartridge Products manufactured in China. Seitz Decl. ¶¶ 67-75, Exhs. 1.47-1.54. On information and belief, Zhuhai MeiJiAn manufactures Accused Ink Cartridge Products in China and ships them, directly or through intermediaries, for sale within the United States. *See id.* On information and belief, these Accused Ink Cartridge Products include substitutes for each of the Epson ink cartridge families identified in the Murch Declaration at ¶¶ 28, 46, 70.

252. The specific instances of importation of Accused Ink Cartridge Products set forth below are representative examples of unlawful imports of Accused Ink Cartridge Products.

253. In September 2024, Epson's representative visited the Zhenyang Electronics store named OINKWERE at <https://www.amazon.com/sp?ie=UTF8&seller=A31IMH5L3SRV6> (the "OINKWERE Store") on *amazon.com* and placed an order with Zhenyang Electronics' OINKWERE Store for Epson compatible ink 212 cartridges. *See* Seitz Decl. ¶ 71, Exh. 1.50. The Epson compatible ink 212 cartridges were later shipped from an Amazon fulfillment center to the Epson representative's California Postal Box. *See id.* The packaging for these cartridges identifies that they were "Made in China." *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

254. Subsequently, in October 2024, Epson's representative made additional purchases in the United States from Zhenyang Electronics' OINKWERE Store for Epson compatible ink 802, 302, 410, and 212 cartridges. *See* Seitz Decl. ¶¶ 72-75, Exhs. 1.51-1.54. The Epson compatible ink 802, 302, 410, and 212 cartridges were later shipped from an Amazon fulfillment center to the Epson representative's California Postal Box. *See id.* The packaging for these cartridges identifies that they were "Made in China." *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

G. Shangrao

255. On information and belief, Shangrao is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products, including Accused Ink Cartridge

Products manufactured in China. *See* Seitz Decl. ¶¶ 78-84, Exhs. 1.56-1.61, 1.160. On information and belief, Shangrao manufactures Accused Ink Cartridge Products in China and ships them, directly or through intermediaries, for sale within the United States. *See id.* On information and belief, these Accused Ink Cartridge Products include substitutes for each of the Epson ink cartridge families identified in the Murch Declaration at ¶¶ 28, 46, 70.

256. The specific instances of importation of Accused Ink Cartridge Products set forth below are representative examples of unlawful imports of Accused Ink Cartridge Products.

257. In July 2023, Epson's representative visited Shangrao's store named Inkgo on *amazon.com* at <https://www.amazon.com/sp?ie=UTF8&seller=A31IMH5L3SRV6> (the "Inkgo Store"), and placed an order with the Inkgo Store for Epson compatible ink 232 cartridges, which were marketed under the brand name Hoinklo. *See* Seitz Decl. ¶ 80, Exh. 1.58. The Epson compatible ink 232 cartridges were later shipped from an Amazon fulfillment center to the Epson representative's California Postal Box. *See id.* The packaging for these cartridges identifies that they were "Made in China." *See id.* These Group 3 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 3 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 42-56.

258. Subsequently, in January 2024, May 2024, and December 2024, Epson's representative made additional purchases in the United States of Epson compatible ink 802 and 232 cartridges from Shangrao's Inkgo Store, which were also marketed under the brand name Hoinklo. *See* Seitz Decl. ¶¶ 81-84, Exhs. 1.59-1.61, 1.160. Epson's representative in the United States received these Accused Ink Cartridge Products at the Epson representative's California Postal Box. *See id.* The packaging for all of these cartridges identifies that they were "Made in China." *See id.* The Group 2 (802) Accused Ink Cartridge Products infringe one or more of the

Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41. The Group 3 (232) Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 3 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 42-56.

H. Hengyunda

259. On information and belief, Hengyunda is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products, including Accused Ink Cartridge Products manufactured in China. Seitz Decl. ¶¶ 85-92, Exhs. 1.62-1.67, 1.161. On information and belief, Hengyunda manufactures Accused Ink Cartridge Products in China and ships them, directly or through intermediaries, for sale within the United States. *See id.* On information and belief, these Accused Ink Cartridge Products include substitutes for each of the Epson ink cartridge families identified in the Murch Declaration at ¶¶ 28, 46, 70.

260. The specific instances of importation of Accused Ink Cartridge Products set forth below are representative examples of unlawful imports of Accused Ink Cartridge Products.

261. In November 2024, Epson's representative visited Hengyunda's store named Upriin on *amazon.com* at <https://www.amazon.com/sp?ie=UTF8&seller=A1KMBWBFWYMMAX> (the "Upriin Store"). *See* Seitz Decl. ¶ 89, Exh. 1.65. Hengyunda uses its "UPRIIN" trademark in association with listings for third party Epson inkjet cartridges. *See* Seitz Decl. ¶¶ 86, 88-89, Exhs. 1.62-1.65. In November 2024, Epson's representative placed an order with Hengyunda's Upriin Store for Epson compatible ink 212 cartridges, which were marketed under the brand name UPRIIN. *See id.* ¶ 89, Exh. 1.65. The Epson compatible ink 212 cartridges were later shipped from an Amazon fulfillment center to the Epson representative's California Postal Box. *See id.*

The packaging for these cartridges identifies that they were "Made in China." *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

262. Subsequently, in January 2025 and March 2025, Epson's representative made additional purchases in the United States of Epson compatible ink 802 and 232 cartridges from Hengyunda's Upriin Store, which were also marketed under the brand name UPRIIN. *See* Seitz Decl. ¶¶ 90-92, Exhs. 1.66-1.67, 1.161. Epson's representative in the United States received these Epson compatible ink 802 and 232 cartridges at the Epson representative's California Postal Box. *See id.* The packaging for all of these cartridges identifies that they were "Made in China." *See id.* The Group 2 (802) Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41. The Group 3 (232) Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 3 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 42-56.

I. Rongtaida

263. On information and belief, Rongtaida is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products, including Accused Ink Cartridge Products manufactured in China. *See* Seitz Decl. ¶¶ 93-98, Exhs. 1.68-1.72. On information and belief, Rongtaida manufactures Accused Ink Cartridge Products in China and ships them, directly or through intermediaries, for sale within the United States. *See id.* On information and belief,

these Accused Ink Cartridge Products include substitutes for each of the Epson ink cartridge families identified in the Murch Declaration at ¶¶ 28, 46, 70.

264. The specific instances of importation of Accused Ink Cartridge Products set forth below are representative examples of unlawful imports of Accused Ink Cartridge Products.

265. In November 2024, Epson's representative visited Rongtaida's store named Hookink on *amazon.com* at <https://www.amazon.com/sp?ie=UTF8&seller=A31IMH5L3SRV6> (the "Hookink Store"). *See* Seitz Decl. ¶ 97, Exh. 1.71. Rongtaida uses its "Hookink" trademark in association with listings for third party Epson inkjet cartridges. *See id.* In November 2024, Epson's representative placed an order with the Hookink Store for Epson compatible ink 202 cartridges, which were marketed under the brand name Hookink. *See id.* The Epson compatible ink 202 cartridges were later shipped from an Amazon fulfillment center to the Epson representative's California Postal Box. *See id.* The packaging for these cartridges identifies that they were "Made in China." *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

266. Subsequently, in January 2025, Epson's representative made additional purchases in the United States of Epson compatible ink 302 and 802 cartridges from Rongtaida's Hookink Store, which were also marketed under the brand name Hookink. *See* Seitz Decl. ¶ 98, Exh. 1.72. Epson's representative in the United States received these Accused Ink Cartridge Products at the Epson representative's California Postal Box. *See id.* The packaging for all of these cartridges identifies that they were "Made in China." *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

J. Shi Wei Tai

267. On information and belief, Shi Wei Tai is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products, including Accused Ink Cartridge Products manufactured in China. *See* Seitz Decl. ¶¶ 99-104, Exhs. 1.73-1.77. On information and belief, Shi Wei Tai manufactures Accused Ink Cartridge Products in China and ships them, directly or through intermediaries, for sale within the United States. *See id.* On information and belief, these Accused Ink Cartridge Products include substitutes for each of the Epson ink cartridge families identified in the Murch Declaration at ¶¶ 28, 46, 70.

268. The specific instances of importation of Accused Ink Cartridge Products set forth below are representative examples of unlawful imports of Accused Ink Cartridge Products.

269. In November 2024, Epson's representative visited Shi Wei Tai's store named Ondula-A on *amazon.com* at <https://www.amazon.com/sp?ie=UTF8&seller=A1A0T6JLWGNH94> (the "Ondula-A Store"). *See* Seitz Decl. ¶ 103, Exh. 1.76. Shi Wei Tai uses its "ONDULA" trademark in association with listings for third party Epson inkjet cartridges. *See id.* In November 2024, Epson's representative placed an order with the Ondula-A Store for Epson compatible ink 202 cartridges, which were marketed under the brand name ONDULA. *See id.* The Epson compatible ink 202 cartridges were later shipped from an Amazon fulfillment center to the Epson representative's California Postal Box. *See id.* The packaging for these cartridges identifies that they were "Made in China." *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

270. Subsequently, in January 2025, Epson's representative made additional purchases in the United States of Epson compatible ink 802 and 812 cartridges from Shi Wei Tai's Ondula-A Store, which were also marketed under the brand name ONDULA. *See* Seitz Decl. ¶ 104, Exh. 1.77. Epson's representative in the United States received these Accused Ink Cartridge Products at the Epson representative's California Postal Box. *See id.* The packaging for all of these cartridges identifies that they were "Made in China." *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

K. Yixing

271. On information and belief, Yixing is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products, including Accused Ink Cartridge Products manufactured in China. *See* Seitz Decl. ¶¶ 105-110, Exhs. 1.78-1.82. On information and belief, Yixing manufactures Accused Ink Cartridge Products in China and ships them, directly or through intermediaries, for sale within the United States. *See id.* On information and belief, these Accused Ink Cartridge Products include substitutes for each of the Epson ink cartridge families identified in the Murch Declaration at ¶¶ 28, 46, 70.

272. The specific instances of importation of Accused Ink Cartridge Products set forth below are representative examples of unlawful imports of Accused Ink Cartridge Products.

273. In January 2024, Epson's representative visited Yixing's store named Greenjob USSHOP on [amazon.com](https://www.amazon.com/sp?ie=UTF8&seller=A1BNV8XOUDS0KX) at <https://www.amazon.com/sp?ie=UTF8&seller=A1BNV8XOUDS0KX> (the "Greenjob USSHOP Store"). *See* Seitz Decl. ¶ 109, Exh. 1.81. Yixing uses its "GREENJOB" trademark in association

with listings for third party Epson inkjet cartridges. *See id.* In January 2024, Epson's representative placed an order with the Greenjob USSHOP Store for Epson compatible ink 212 cartridges, which were marketed under the brand name GREENJOB. *See id.* The Epson compatible ink 212 cartridges were later shipped from an Amazon fulfillment center to the Epson representative's California Postal Box. *See id.* The packaging for these cartridges identifies that they were "Made in China." *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

274. Subsequently, in January 2025, Epson's representative made additional purchases in the United States of Epson compatible ink 302 and 802 cartridges from Yixing's Greenjob USSHOP Store, which were also marketed under the brand name GREENJOB. *See* Seitz Decl. ¶ 110, Exh. 1.82. Epson's representative in the United States received these Accused Ink Cartridge Products at the Epson representative's California Postal Box. *See id.* The packaging for all of these cartridges identifies that they were "Made in China." *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

L. Mei Jin

275. On information and belief, Mei Jin is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products, including Accused Ink Cartridge Products manufactured in China. *See* Seitz Decl. ¶¶ 111-117, Exhs. 1.83-1.87. On information and belief, Mei Jin manufactures Accused Ink Cartridge Products in China and ships them, directly or through intermediaries, for sale within the United States. *See id.* On information and belief, these Accused

Ink Cartridge Products include substitutes for each of the Epson ink cartridge families identified in the Murch Declaration at ¶¶ 28, 46, 70.

276. The specific instances of importation of Accused Ink Cartridge Products set forth below are representative examples of unlawful imports of Accused Ink Cartridge Products.

277. In August 2024, Epson's representative visited Mei Jin's store named YBFeir on *temu.com* at <https://www.temu.com/meeijing-m-634418216481214.html> (the "YBFeir Store"). *See* Seitz Decl. ¶¶ 114, 116, Exhs. 1.83-1.86. The YBFEIR trademark is used on the YBFeir Store in association with listings for third party Epson inkjet cartridges. *See id.* In August 2024, Epson's representative placed an order with Mei Jin's YBFeir Store for Epson compatible ink 126 cartridges, which were marketed under the brand name YBFeir. *See id.* ¶ 116, Exh. 1.86. The Epson compatible ink 126 cartridges were later fulfilled by and shipped from Mountain Peak's City of Industry, California address to the Epson representative's California Postal Box. *See id.*

278. Subsequently, in October 2024, Epson's representative placed an order with Mei Jin's YBFeir Store for Epson compatible ink 126, 232, 702 and 822 cartridges, which were marketed under the brand name YBFeir. *See* Seitz Decl. ¶ 117, Exh. 1.87. The Epson compatible ink 126, 232, 702 and 822 cartridges were later fulfilled by and shipped from a Chino, California address to the Epson representative's California Postal Box. *See id.* The Group 2 (702, 822) Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41. The Group 3 (232) Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 3 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 42-56.

M. Zhuhai MeiJiAn

279. On information and belief, Zhuhai MeiJiAn is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products, including Accused Ink Cartridge Products manufactured in China. *See* Seitz Decl. ¶¶ 118-128, Exhs. 1.88-1.95. On information and belief, Zhuhai MeiJiAn manufactures Accused Ink Cartridge Products in China and ships them, directly or through intermediaries, for sale within the United States. *See id.* On information and belief, these Accused Ink Cartridge Products include substitutes for each of the Epson ink cartridge families identified in the Murch Declaration at ¶¶ 28, 46, 70.

280. The specific instances of importation of Accused Ink Cartridge Products set forth below are representative examples of unlawful imports of Accused Ink Cartridge Products.

281. In January 2024, Epson's representative visited Zhuhai MeiJiAn's store named Halodreamhouse on *ebay.com* at <https://www.ebay.com/str/triplecolor> (the "Halodreamhouse Store"), and placed orders with the Halodreamhouse Store for Epson compatible ink 212 and 802 cartridges. *See* Seitz Decl. ¶¶ 123-124, Exhs. 1.90-1.91. The Epson compatible ink 212 and 802 cartridges were later fulfilled by and shipped from Mountain Peak's City of Industry, California address to the Epson representative's California Postal Box. *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

282. Subsequently, in September 2024 and October 2024, Epson's representative placed an order with the Halodreamhouse Store for Epson compatible ink 232, 302, 410 and 802 cartridges. *See* Seitz Decl. ¶¶ 125, 127, Exhs. 1.92, 1.94. The Epson compatible ink 232, 302, 410 and 802 cartridges were later fulfilled by and shipped from a Chino, California address to the

Epson representative's California Postal Box. *See id.* The Group 2 (302, 410, 802) Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41. The Group 3 (232) Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 3 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 42-56.

283. In October 2024, Epson's representative placed orders with the Halodreamhouse Store for Epson compatible ink 127, 288, 812, and 802 cartridges. *See* Seitz Decl. ¶¶ 126, 128, Exhs. 1.93, 1.95. The Epson compatible ink 127, 288, 812, and 802 cartridges were later fulfilled by and shipped from Mountain Peak's City of Industry, California address to the Epson representative's California Postal Box. *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

N. Qiong Wang

284. On information and belief, Qiong Wang is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products, including Accused Ink Cartridge Products manufactured in China. *See* Seitz Decl. ¶¶ 129-135, Exhs. 1.96-1.99. On information and belief, Qiong Wang manufactures Accused Ink Cartridge Products in China and ships them, directly or through intermediaries, for sale within the United States. *See id.* On information and belief, these Accused Ink Cartridge Products include substitutes for each of the Epson ink cartridge families identified in the Murch Declaration at ¶¶ 28, 46, 70.

285. The specific instances of importation of Accused Ink Cartridge Products set forth below are representative examples of unlawful imports of Accused Ink Cartridge Products.

286. In November 2024, Epson's representative visited Qiong Wang's store named 7-Magic on *ebay.com* at <https://www.ebay.com/str/uwantoner> (the "7-Magic Store"). *See* Seitz Decl. ¶¶ 132-135, Exhs. 1.97-1.99. Qiong Wang's 7-MAGIC trademark is used on the 7-Magic Store in association with listings for third party Epson inkjet cartridges. *See id.* In November 2024, Epson's representative placed orders with the 7-Magic Store for Epson compatible ink 702 and 212 cartridges, which were marketed under the brand name 7-Magic. *See id.* The Epson compatible ink 702 and 212 cartridges were later shipped from Mountain Peak's City of Industry, California address to the Epson representative's California Postal Box. *See id.* at ¶¶ 134-135, Exhs. 1.98-1.99. The boxes for these cartridges identifies that they were Made in China. *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

O. Shen Zhen Sailing

287. On information and belief, Shen Zhen Sailing is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products, including Accused Ink Cartridge Products manufactured in China. *See* Seitz Decl. ¶¶ 136-142, Exhs. 1.100-1.103. On information and belief, Shen Zhen Sailing manufactures Accused Ink Cartridge Products in China and ships them, directly or through intermediaries, for sale within the United States. *See id.* On information and belief, these Accused Ink Cartridge Products include substitutes for each of the Epson ink cartridge families identified in the Murch Declaration at ¶¶ 28, 46, 70.

288. The specific instances of importation of Accused Ink Cartridge Products set forth below are representative examples of unlawful imports of Accused Ink Cartridge Products.

289. In November 2024, Epson's representative visited Shen Zhen Sailing's store named Triple-Color on *ebay.com* at <https://www.ebay.com/str/tripletcolor> (the "Triple-Color Store"). *See* Seitz Decl. ¶ 141, Exh. 1.102. Shen Zhen Sailing's PALMTREE trademark is used on the Triple-Color Store in association with listings for third party Epson inkjet cartridges. *See id.* at ¶¶ 139-142, Exhs. 1.101-1.103. In November 2024, Epson's representative placed an order with the Triple-Color Store for Epson compatible ink 212 cartridges, which were marketed under the brand name Palmtree. *See id.* at ¶¶ 139, 141, Exhs. 1.101-1.102. The Epson compatible ink 212 cartridges were later shipped from Mountain Peak's City of Industry, California address to the Epson representative's California Postal Box. *See id.* at ¶ 141, Exh. 1.102. The boxes for these cartridges identifies that they were Made in China. *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

290. Subsequently, in December 2024, Epson's representative placed an order with the Triple-Color Store for Epson compatible ink 212 and 802 cartridges, which were marketed under the brand name Palmtree. *See* Seitz Decl. ¶ 142, Exh. 1.103. The Epson compatible ink 212 and 702 cartridges were later fulfilled by and shipped from a Chino, California address to the Epson representative's California Postal Box. *See id.* The boxes for these cartridges identifies that they were Made in China. *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

P. Shuofeng

291. On information and belief, Shuofeng is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products, including Accused Ink Cartridge Products manufactured in China. *See* Seitz Decl. ¶¶ 143-149, Exhs. 1.105-1.108. On information and belief, Shuofeng manufactures Accused Ink Cartridge Products in China and ships them, directly or through intermediaries, for sale within the United States. *See id.* On information and belief, these Accused Ink Cartridge Products include substitutes for each of the Epson ink cartridge families identified in the Murch Declaration at ¶¶ 28, 46, 70.

292. The specific instances of importation of Accused Ink Cartridge Products set forth below are representative examples of unlawful imports of Accused Ink Cartridge Products.

293. In May 2024, Epson's representative visited Shuofeng's store named Super Ink Club on *ebay.com* at <https://www.ebay.com/str/superinkclub> (the "Super Ink Club Store"). *See* Seitz Decl. ¶ 147, Exh. 1.106. Shuofeng's InkSpirit trademark is used on the Triple-Color Store in association with listings for third party Epson inkjet cartridges. *See id.* at ¶¶ 146-147, Exhs. 1.105-1.106. In May 2024, Epson's representative placed an order with the Super Ink Club Store for Epson compatible ink 822 cartridges. *See id.* at ¶ 147, Exh. 1.106. The Epson compatible ink 822 cartridges were later shipped from a Hebron, Kentucky address to the Epson representative's California Postal Box. *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

294. Subsequently, in November 2024 and January 2025, Epson's representative placed orders with Super Ink Club Store for Epson compatible ink 220, 212 and 232 cartridges, which

were marketed under the Shuofeng's trademarked brand name InkSpirit. *See* Seitz Decl. ¶¶ 148-149, Exhs. 1.107-1.108. The Epson compatible ink 220, 212 and 232 cartridges were later fulfilled by and shipped from a Hebron, Kentucky address to the Epson representative's California Postal Box. *See id.* The boxes for these cartridges identifies that they were Made in China. *See id.* The Group 2 (212, 220) Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41. The Group 3 (232) Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 3 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 42-56.

Q. Bowang

295. On information and belief, Bowang is engaged in the manufacture, importation into the United States, sale for importation into the United States and/or sale within the United States after importation of Accused Ink Cartridge Products, including Accused Ink Cartridge Products manufactured in China. *See* Seitz Decl. ¶¶ 150-156, Exhs. 1.109-1.113. On information and belief, Bowang manufactures Accused Ink Cartridge Products in China and ships them, directly or through intermediaries, for sale within the United States. *See id.* On information and belief, these Accused Ink Cartridge Products include substitutes for each of the Epson ink cartridge families identified in the Murch Declaration at ¶¶ 28, 46, 70.

296. The specific instances of importation of Accused Ink Cartridge Products set forth below are representative examples of unlawful imports of Accused Ink Cartridge Products.

297. In August 2024, Epson's representative visited Bowang's store named Office Print Club on *ebay.com* at <https://www.ebay.com/str/officeprintclub> (the "Office Print Club Store"), and placed an order with the Office Print Club Store for Epson compatible ink 212 cartridges. *See*

Seitz Decl. ¶ 154, Exh. 1.111. The Epson compatible ink 212 cartridges were later shipped from a Hebron, Kentucky address to the Epson representative's California Postal Box. *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

298. Subsequently, in September 2024 and December 2024, Epson's representative placed orders with Office Print Club Store for Epson compatible ink 212 and 232 cartridges. *See* Seitz Decl. ¶¶ 155-156, Exhs. 1.112-1.113. The Epson compatible ink 212 and 232 cartridges were later fulfilled by and shipped from a Hebron, Kentucky address to the Epson representative's California Postal Box. *See id.* The boxes for these cartridges identifies that they were Made in China. *See id.* The Group 2 (212) Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41. The Group 3 (232) Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 3 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 42-56.

R. Mountain Peak

299. On information and belief, Mountain Peak imports and/or sells after importation into the United States Accused Ink Cartridge Products, including Accused Ink Cartridge Products manufactured in China by proposed respondents Mei Jin, ZhuHai MeiJiAn, Qiong Wang, Shen Zhen Sailing, and other manufacturers. *See* Seitz Decl. ¶¶ 157-180, Exhs. 1.117-1.139, 1.162. On information and belief, these Accused Ink Cartridge Products include substitutes for each of the Epson ink cartridge families identified in the Murch Declaration at ¶¶ 28, 46, 70.

300. On information and belief, Mountain Peak owns, operates, and fulfills orders for the following ebay stores:

- freecart_shop at <https://www.ebay.com/str/freecartshop> (the "Freecart Store")
- 4-evergreen at <https://www.ebay.com/str/freecartshop> (the "4 Evergreen Store")
- rainbow-printer at <https://www.ebay.com/str/rainbowprinter> (the "Rainbow Printer Store")
- CMYBabee at <https://www.ebay.com/str/cmybabee> (the "CMYBabee Store")
- toner_kingdom at <https://www.ebay.com/str/tonerkingdom> (the "Toner Kingdom Store")
- tonerover at <https://www.ebay.com/str/tonerover> (the "Tonerover Store")

See Seitz Decl. at ¶ 160, Exhs. 1.117-1.122.

301. From these ebay stores, Mountain Peak, markets and sells Accused Ink Cartridge Products under the brand name "Mountain Peak" under dbas and/or seller names, including *Mountain Peak Toner Kingdom*, *Toner Kingdom Pro*, *Freecart_shop*, *4-evergreen*, *rainbow-printer*, *CMYBabee*, and *tonerover*. See *id.* at ¶¶ 161-180, Exhs. 1.115-1.139, 1.162.

302. The specific instances of importation of Accused Ink Cartridge Products set forth below are representative examples of unlawful imports of Accused Ink Cartridge Products.

303. From July through December 2024, Epson's representative visited Mountain Peak's Freecart Store, 4 Evergreen Store, Rainbow Printer Store, CMYBabee Store, Toner Kingdom Store, and Tonerover Store (collectively "Mountain Peak's ebay Stores"). See *id.* at ¶¶ 160-178, Exhs. 1.117-1.139. In July 2024, Epson's representative placed orders with Mountain Peak's Freecart Store for Epson compatible ink 252 and 202 cartridges. See *id.* at ¶¶ 162, 164, Exhs. 1.123, 1.125. The Epson compatible ink 252 and 202 cartridges were later shipped from Mountain Peak's City of Industry address to the Epson representative's California Postal Box. See *id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same

manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

304. Subsequently, in August 2024, Epson's representative made additional purchases in the United States of Epson compatible ink 222 cartridges from Mountain Peak's CMYBabee Store and Freecart Store. *See id.* ¶ 165, Exh. 1.126. The Epson compatible ink 222 cartridges were later shipped from Mountain Peak's City of Industry address to the Epson representative's California Postal Box. *See id.* These Group 3 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 3 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 42-56.

305. In September 2024, Epson's representative went to Mountain Peak's City of Industry address and made an in-person purchase of placed an order with the Freecart Store for of Epson compatible 252 ink cartridges from Toner Kingdom. *See Seitz Decl.* ¶ 167, Exh. 1.128. The box for these Epson compatible ink 252 cartridges identifies that they were made in China. *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

306. In September 2024, October 2024, December 2024, and April 2025 Epson's representative placed an order with Mountain Peak's Freecart Store for Epson compatible ink 702, 288, 802, 812, 232, 302, 410, and 222 cartridges. *See Seitz Decl.* ¶¶ 168-173, 176-179, Exhs. 1.129-1.134, 1.137-1.139, 1.162. The Epson compatible ink 702, 288, 802, 812, 232, 302, 410, and 222 cartridges were later shipped from Mountain Peak's City of Industry address to the Epson representative's California Postal Box. *See id.* The boxes for these Epson compatible ink cartridges identifies that they were made in China. *See id.* The Group 2 (288, 302, 410, 702, 802,

812) Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41. The Group 3 (222, 232) Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 3 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 42-56.

307. In November 2024, Epson's representative placed an order with Mountain Peak's Tonerover Store for Epson compatible ink 212 cartridges. *See id.* ¶ 174, Exh. 1.135. The Epson compatible ink 212 cartridges were later shipped from Mountain Peak's City of Industry address to the Epson representative's California Postal Box. *See id.* The box for these Epson compatible ink 212 cartridges identifies that they were made in China. *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

308. In November 2024, Epson's representative placed an order with Mountain Peak's 4-Evergreen Store for Epson compatible ink 410 cartridges. *See id.* ¶ 175, Exh. 1.136. The Epson compatible ink 410 cartridges were later shipped from Mountain Peak's City of Industry address to the Epson representative's California Postal Box. *See id.* The box for these Epson compatible ink 410 cartridges identifies that they were made in China. *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

309. On information and belief, Mountain Peak also imports and/or sells after importation into the United States Accused Ink Cartridge Products, including Accused Ink Cartridge Products manufactured in China by proposed respondents Mei Jin, ZhuHai MeiJiAn, Qiong Wang, Shen Zhen Sailing, and other manufacturers. *See id.* at ¶¶ 180-181, Exhs. 1.86, 1.90-

1.91, 1.93, 1.95, 1.98, 1.102. For example, based on representations made on shipping labels, purchases from the following online stores and their respective Chinese owners were fulfilled by Mountain Peak:

- The 7-Magic Store on eBay owned by Proposed Respondent Qiong Wang;
- The Triple Color Store on eBay owned by Proposed Respondent Shen Zhen Sailing Technology Limited;
- The Halodreamhouse Store on eBay owned by Proposed Respondent ZhuHai MeiJiAn Trading Co., Ltd.; and
- The MJing Store on Temu owned by Proposed Respondent Mei Jin Technology HK Co., Limited.

See id.

S. Straightouttink

310. On information and belief, Straightouttink imports and/or sells after importation into the United States Accused Ink Cartridge Products, including Accused Ink Cartridge Products manufactured in China. *See* Seitz Decl. ¶¶ 182-198, Exhs. 1.140-1.158, 1.163. On information and belief, these Accused Ink Cartridge Products include substitutes for each of the Epson ink cartridge families identified in the Murch Declaration at ¶¶ 28, 46, 70.

311. The specific instances of importation of Accused Ink Cartridge Products set forth below are representative examples of unlawful imports of Accused Ink Cartridge Products.

312. In December 2022, Epson's representative visited Straightouttink's store named Inkpro2020 on *ebay.com* at <https://www.ebay.com/str/einkshop2014> (the "Inkpro2020 Store") and placed an order with the Inkpro2020 Store for Epson compatible ink 252 cartridges. *See id.* ¶ 188, Exh. 1.149. The Epson compatible ink 252 cartridges were later shipped from Straightouttink's 541 W. Capitol Expressway 10-212, San Jose, California address to the Epson representative's California Postal Box. *See id.* The unbranded Epson compatible ink 252

cartridges and plain packaging are indicia that these cartridges are made in China. *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

313. In October 2024 and November 2024, Epson's representative placed orders with Straightouttaink's Inkpro2020 Store for Epson compatible ink 202, 222, 288, and 822 cartridges. *See id.* ¶¶ 195-196, Exhs. 1.156-1.157. The Epson compatible ink 202, 222, 288, and 822 cartridges were later shipped from Straightouttaink's 541 W. Capitol Expressway 10-212, San Jose, California address to the Epson representative's California Postal Box. *See id.* The unbranded Epson compatible ink 202, 222, 288, and 822 cartridges and plain packaging are consistent with cartridges manufactured outside of the United States and the packaging for certain of these cartridges identifies that they were made in China. *See id.* The Group 2 (202, 288, 822) Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41. The Group 3 (222) Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 3 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 42-56.

314. In December 2022, Epson's representative visited Straightouttaink's store on its *discountinkllc.com* website (the "Discountinkllc website"), and placed an order for Epson compatible ink 252 cartridges. *See* Seitz Decl. ¶ 189, Exh. 1.150. The Epson compatible ink 252 cartridges were later shipped from Straightouttaink's 541 W. Capitol Expressway 10-212, San Jose, California address to the Epson representative's California Postal Box. *See id.* The unbranded Epson compatible ink 252 cartridges and plain packaging are consistent with cartridges

manufactured outside of the United States. *See id.* These Group 2 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41.

315. In May 2023, June 2023, and August 2023, Epson's representative visited Straightouttaink's store named Inkpro on *amazon.com* at <https://www.amazon.com/s?me=A2NSWJ2ULDVPF4> (the "Inkpro Store"), and placed orders for Epson compatible ink 202, 212, and 232 cartridges. *See id.* ¶¶ 190-191, 193, Exhs. 1.151-1.152, 1.154. The Epson compatible ink 202, 212, and 232 cartridges were later shipped from Straightouttaink's 541 W. Capitol Expressway 10-212, San Jose, California address to the Epson representative's California Postal Box. *See id.* The unbranded Epson compatible ink 202, 212, and 232 cartridges and plain packaging are consistent with cartridges manufactured outside of the United States. *See id.* The Group 2 (202, 212) Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 4-41. The Group 3 (232) Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 3 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 42-56.

316. In July 2023, Epson's representative visited Straightouttaink's store named Splendidcolor on *amazon.com* at <https://www.amazon.com/s?me=A2L28IISHBYZYE> (the "Splendidcolor Store"), and placed orders for Epson compatible ink 232 cartridges. *See id.* ¶ 192, Exh. 1.153. The Epson compatible ink 232 cartridges were later shipped from Straightouttaink's 541 W. Capitol Expressway 10-212, San Jose, California address to the Epson representative's California Postal Box. *See id.* The unbranded Epson compatible ink 232 cartridges and plain packaging are consistent with cartridges manufactured outside of the United States. *See id.* These

Group 3 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 3 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 42-56.

317. In September 2023, Epson's representative visited Straightouttink's store named Inkjetofficesupply on *etsy.com* at <https://www.etsy.com/shop/inkjetofficesupply> (the "Inkjetofficesupply Store"), and placed orders for Epson compatible ink 232 cartridges. *See* Seitz Decl. ¶ 194, Exh. 1.155. The Epson compatible ink 232 cartridges were later shipped from Straightouttink's 541 W. Capitol Expressway 10-212, San Jose, California address to the Epson representative's California Postal Box. *See id.* The unbranded Epson compatible ink 232 cartridges and plain packaging are consistent with cartridges manufactured outside of the United States. *See id.* These Group 3 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 3 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 42-56.

318. In February 2025, Epson's representative visited Straightouttink's store on its *inkprousa.com* website (the "Inkprousa website"), and placed an order for Epson compatible ink 676 cartridges. *See* Seitz Decl. ¶ 197, Exh. 1.158. The Epson compatible ink 676 cartridges were later shipped from Straightouttink's 541 W. Capitol Expressway 10-212, San Jose, California address to the Epson representative's California Postal Box. *See id.* The unbranded Epson compatible ink 676 cartridges and plain packaging are consistent with cartridges manufactured outside of the United States. *See id.*

319. In April 2025, Epson's representative visited Straightouttink's store named Inkjetofficesupply2021 on *ebay.com* at <https://www.ebay.com/str/inkjetofficesupply2021> (the "Inkjetofficesupply2021 Store"), and placed an order for Epson compatible ink 222 cartridges. *See*

Seitz Decl. ¶ 198, Exh. 1.163. The Epson compatible ink 222 cartridges were later shipped from Straightouttink's 541 W. Capitol Expressway 10-212, San Jose, California address to the Epson representative's California Postal Box. *See id.* The unbranded Epson compatible ink 222 cartridges and plain packaging are consistent with cartridges manufactured outside of the United States, and the packaging for certain of the cartridges indicates that they were made in China. *See id.* These Group 3 Accused Ink Cartridge Products infringe one or more of the Asserted Claims in the same manner as other Group 3 Accused Ink Cartridge Products, as demonstrated in the claim charts attached as Exhibits 42-56.

T. Components

320. In September 2021, Epson's representative placed an order in the United States from the Ocbestjet Group's store on *www.alibaba.com* for Epson compatible ink 804 printed circuit boards ("PCBs" or "chips"). *See* Seitz Decl. ¶ 200, Exh. 1.10. These Epson compatible ink 804 PCBs are sold for use with Epson compatible ink 804 refillable cartridges, also offered for sale, sold and imported to the United States by Ocbestjet Group, which when combined are for use with Epson P6000, P7000, P8000, and P9000 printers, as a substitute for genuine Epson ink 804 cartridges. *See id.* at ¶¶ 200-203, Exhs. 1.10, 1.12. Epson's representative paid for the order via *alibaba.com*, and thereafter received the Epson compatible ink 804 circuit boards at the Epson representative's California Postal Box, which were shipped from Ocbestjet's China address. *See id.* at ¶ 200, Exh. 1.10. The shipping label and packages that these Epson compatible ink 804 PCBs came in states that they were made in China. *See id.*

321. In November 2021, Epson's representative placed an order in the United States with the Ocbestjet Group via *www.alibaba.com* for Epson compatible ink 804 refillable cartridges. *See id.* at ¶ 201, Exh. 1.12. These Epson compatible ink 804 refillable cartridges are sold for use with

Epson compatible ink 804 PCBs, also offered for sale, sold and imported to the United States by Ocbestjet Group, which when combined with Epson compatible ink 804 circuit boards are for use with Epson P6000, P7000, P8000, and P9000 printers, as a substitute for genuine Epson ink 804 cartridges. *See id.* at ¶¶ 201-203, Exhs. 1.10, 1.12. Epson's representative paid for the order via *alibaba.com*, and thereafter received the Epson compatible ink 804 refillable cartridges at the Epson representative's California Postal Box, which were shipped from Ocbestjet's China address. *See id.* at ¶ 201, Exh. 1.12. The shipping label that these Epson compatible ink 804 refillable cartridges came in states that they were made in China. *See id.*

322. By combining these components, namely the Epson compatible ink 804 circuit boards and the Epson compatible ink 804 refillable cartridges, which are manufactured, sold and imported to the United States by Ocbestjet Group, a user creates a Group 2 Accused Ink Cartridge Product that infringes one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products. The infringement analysis sets forth in the claim charts attached as Exhibits 4-41 is applicable to the resulting infringing Group 2 Accused Ink Cartridge Product.

323. Additionally, in January 2025, Epson's representative placed an order in the United States from Tatrix's AliExpress store on *www.aliexpress.com* for Epson compatible ink 694 one time use chips and Epson compatible ink 694 empty refillable cartridges. *See Seitz Decl.* ¶ 206, Exh. 1.26. These Epson compatible ink 694 one time use chips and Epson compatible ink 694 empty refillable cartridges are offered for sale, sold and imported to the United States by Tatrix for combined use with the Epson Sure color T3200, T5200, T7200, T3270, T5270, T7270, T3000, T5000, T7000, T3070, T5070, T7070, T3270D, T5270D, and T7270D printers, as a substitute for genuine Epson ink 694 cartridges. *See id.* Epson's representative paid for the order via *aliexpress.com*, and thereafter, received Epson compatible ink 694 one time use chips and Epson

compatible ink 694 empty refillable cartridges at the Epson representative's Orange County, California Postal Box, which were shipped from an address in China. *See id.* The packages that these Epson compatible ink 694 circuit boards came in states that they were made in China. *See id.*

324. By combining these components, namely the Tatrix Epson compatible ink 694 circuit boards and the Tatrix Epson compatible ink 694 refillable cartridges, which are manufactured, sold and imported to the United States by Tatrix, a user creates a Group 2 Accused Ink Cartridge Product that infringes one or more of the Asserted Claims in the same manner as other Group 2 Accused Ink Cartridge Products. The infringement analysis sets forth in the claim charts attached as Exhibits 4-41 is applicable to the resulting infringing Group 2 Accused Ink Cartridge Product.

VII. CLASSIFICATION OF ACCUSED INK CARTRIDGE PRODUCTS UNDER THE HARMONIZED TARIFF SCHEDULE

325. Upon information and belief, the Accused Ink Cartridge Products are classified at item 8473.30.5000, HTS, which provides for "Parts and accessories...suitable for use solely or principally with machines of headings 8469 to 8472: Parts and accessories of the machines of heading 8471: Not incorporating a cathode ray tube: Other."

326. This classification is exemplary in nature and not intended to restrict the scope of any exclusion order or other remedy ordered by the Commission.

VIII. RELATED LITIGATION

327. Pursuant to 19 C.F.R. § 210.12(a)(5), the alleged unfair methods of competition and unfair acts, or the subject matter thereof, have not been the subject of any court or agency litigation in the United States with respect to the Asserted Patents.

IX. DOMESTIC INDUSTRY

328. An industry as required by 19 U.S.C. § 1337(a)(2) and defined by 19 U.S.C. §1337(a)(3) exists in the United States relating to the Asserted Patents and Complainants' products protected by the Asserted Patents. As described below, and in the Confidential Declaration of Jamie C. Ramsey, (hereinafter, the "Ramsey Decl." or "Ramsey Declaration"), submitted herewith as Confidential Exhibit 3, Epson Portland currently manufactures cartridges that practice all the Asserted Patents in the United States, and also packages and performs quality control inspections in the United States on ink cartridges (manufactured by Epson Portland and other related Epson entities) that practice all of the Asserted Patents.

329. Alternatively, a domestic industry relating to articles protected by at least the '248 and '249 patents is in the process of being established for at least the reasons set forth in the Ramsey Declaration. Specifically, Epson Portland is currently investing in domestic plant, equipment, labor, and capital through the manufacture, packaging, and inspection of cartridges practicing the '248 and '249 patents, and it plans to continue those domestic operations in the future. *See id.*

A. Technical Prong

330. '172 patent, claim 1 practiced by a genuine Epson Group 2 ink cartridge: At least ink cartridges associated with numerical trademarks 195, 196, 200, 202, 206, 207, 212, 215, 220, 252, 254, 273, 277, 288, 296, 302, 312, 314, 324, 410, 702, 725, 748, 760, 786, 788, 802, 812, 822, 912, and 924 which are packaged by Epson Portland in the United States, including ink cartridges associated with numerical trademarks 195, 196, 200, 202, 206, 207, 212, 220, 252, 288, 296, 702, 725, 812, and 822 which are manufactured by Epson Portland in the United States, and certain of which are sold by Epson America in the United States, are Group 2 ink cartridges that practice at least claim 1 of the '172 patent. A claim chart that demonstrates how a sample Group 2 ink cartridge from Complainants (associated with 822 numerical trademark) practices a

representative claim (claim 1) of the '172 patent is attached hereto as Exhibit 57. A photograph of Complainants' 822 Group 2 ink cartridge is attached as Exhibit 62.

331. '934 patent, claim 1 practiced by a genuine Epson Group 2 ink cartridge: At least ink cartridges associated with numerical trademarks 195, 196, 200, 202, 206, 207, 212, 215, 220, 252, 254, 273, 277, 288, 296, 302, 312, 314, 324, 410, 702, 725, 748, 760, 786, 788, 802, 812, 822, 912, and 924 which are packaged by Epson Portland in the United States, including ink cartridges associated with numerical trademarks 195, 196, 200, 202, 206, 207, 212, 220, 252, 288, 296, 702, 725, 812, and 822 which are manufactured by Epson Portland in the United States, and certain of which are sold by Epson America in the United States, are Group 2 ink cartridges that practice at least claim 1 of the '934 patent. A claim chart that demonstrates how a sample Group 2 ink cartridge from Complainants (associated with 822 numerical trademark) practices a representative claim (claim 1) of the '934 patent is attached hereto as Exhibit 58. A photograph of Complainants' 822 Group 2 ink cartridge is attached as Exhibit 62.

332. '038 patent, claim 1 practiced by a genuine Epson Group 3 ink cartridge: At least ink cartridges associated with numerical trademarks 222, 232, 340, and 11J which are packaged by Epson Portland in the United States, including ink cartridges associated with numerical trademarks 222 and 232 which are manufactured by Epson Portland in the United States, and certain of which are sold by Epson America in the United States, are Group 3 ink cartridges that practice at least claim 1 of the '038 patent. A claim chart that demonstrates how a sample Group 3 ink cartridge from Complainants (associated with 222 numerical trademark) practices a representative claim (claim 1) of the '038 patent is attached hereto as Exhibit 59. A photograph of Complainants' 222 Group 3 ink cartridge is attached as Exhibit 63.

333. '248 patent, claim 1 practiced by a genuine Epson Group 3 ink cartridge: At least ink cartridges associated with numerical trademarks 222, 232, 340, and 11J which are packaged by Epson Portland in the United States, including ink cartridges associated with numerical trademarks 222 and 232 which are manufactured by Epson Portland in the United States, and certain of which are sold by Epson America in the United States, are Group 3 ink cartridges that practice at least claim 1 of the '248 patent. A claim chart that demonstrates how a sample Group 3 ink cartridge from Complainants (associated with 222 numerical trademark) practices a representative claim (claim 1) of the '248 patent is attached hereto as Exhibit 60. A photograph of Complainants' 222 Group 3 ink cartridge is attached as Exhibit 63.

334. '249 patent, claim 1 practiced by a genuine Epson Group 3 ink cartridge: At least ink cartridges associated with numerical trademarks 222, 232, 340, and 11J which are packaged by Epson Portland in the United States, including ink cartridges associated with numerical trademarks 222 and 232 which are manufactured by Epson Portland in the United States, and certain of which are sold by Epson America in the United States, are Group 3 ink cartridges that practice at least claim 1 of the '249 patent. A claim chart that demonstrates how a sample Group 3 ink cartridge from Complainants (associated with 222 numerical trademark) practices a representative claim (claim 1) of the '249 patent is attached hereto as Exhibit 61. A photograph of Complainants' 222 Group 3 ink cartridge is attached as Exhibit 63.

B. Economic Prong

1. Significant Investment in Plant and Equipment

335. A domestic industry exists in the United States by virtue of Complainants' significant investment in plant and equipment devoted to manufacturing, packaging and inspecting

ink cartridges that employ and exploit the technology covered by one or more of the claims of the Asserted Patents.

336. Epson Portland was established in 1985. Epson Portland is an indirect, wholly-owned subsidiary of SEC. Epson Portland's current facility occupies a significant area on more than 20 acres of land in Hillsboro, Oregon . Details of Epson Portland's facilities are described in the Ramsey Declaration. *See id.* ¶¶ 2-7.

337. Epson Portland manufactures at its Hillsboro facility (A) Group 1 ink cartridges in June 2010, (B) Group 2 ink cartridges in November 2013, and (C) Group 3 ink cartridges in June 2022. *See id.*, ¶ 9. Further details of Epson Portland's manufacturing activities are described in the Ramsey Declaration. *See generally, id.*

338. A significant portion of the Epson Portland facility in Hillsboro, Oregon is devoted, either entirely or in large part, to manufacturing ink cartridges that exploit the Asserted Patents. Further details of how this space is allocated are described in the Confidential Ramsey Declaration. *See id.*, ¶¶ 8-23.

339. In addition to the patent practicing ink cartridges (and other products) that Epson Portland manufactures at its own facility, since 2017 Epson Portland has also packaged for retail distribution patent practicing ink cartridges and other products manufactured outside of the United States, *i.e.*, not by Epson Portland but by other Seiko Epson Group Companies. Further details of Epson Portland's packaging and inspection activities are described in the Ramsey Declaration. *See id.*, ¶¶ 9, 10.C, 10.D, 14-22.

340. Epson Portland also has made significant investments in building and expanding its Hillsboro, Oregon facility; renovating a portion of the facility to create a clean room space used for manufacturing cartridges; improving the non-clean room portions of its facility; acquiring

product family-specific capital equipment and facilities improvements used to manufacture cartridges exploiting the Asserted Patents; acquiring capital equipment that is commonly used across its manufacturing and packaging operation; recent leasing space and services; and purchasing acreage in Hillsboro on which its facility sits. Further details of how Epson Portland's investment in facilities, land, product families, manufacturing equipment, and leasing expenses is allocated to ink cartridges exploiting the Asserted Patents are described in detail in the Confidential Ramsey Declaration. *See id.*, ¶¶ 8-16.

2. Significant Employment of Labor and Capital

341. Complainant Epson Portland currently employs several hundred employees in the United States in the domestic production, packaging and distribution of ink cartridges at its production facilities in Hillsboro, Oregon, including a majority of whom are involved in exploiting the Asserted Patents. Epson Portland has made significant investments in these employee costs related to products that practice the ten Asserted Patents. Further details of the work performed by these employees are described in the Confidential Ramsey Declaration. *See id.*, ¶¶ 17-23.

X. GENERAL EXCLUSION ORDER

342. Complainants have identified in this Complaint a substantial number of entities worldwide that manufacture and import infringing ink cartridges and components thereof. In addition, on information and belief, numerous other unknown entities also routinely import into the United States, sell for importation into the United States, and/or sell within the United States after importation infringing ink cartridges and components thereof. Moreover, on information and belief, numerous other entities are capable of shifting, at minimal expense, a substantial amount of their production capacity to manufacturing infringing ink cartridges and components thereof for importation into the United States.

343. Thus, a general exclusion order ("GEO") is warranted here both to prevent the circumvention of an exclusion order limited to products of the Proposed Respondents, and because there is a pattern of violation of Section 337 and it is difficult, if not impossible, to identify the source of the Accused Products. Indeed, the Commission previously granted GEOs in the ITC 565 Investigation and ITC 946 Investigation based on both of these grounds (19 U.S.C. § 1337(d)(2)(A)-(B)).

A. Preventing Circumvention of an Exclusion Order Limited to Products of the Proposed Respondents

344. A GEO is necessary to prevent circumvention of an exclusion order limited to the products of the Proposed Respondents because such circumvention by the Proposed Respondents and others is likely, market conditions create a high likelihood of such circumvention, and the Proposed Respondents are engaged in business practices that make it difficult for the U.S. Customs and Border Protection ("CBP") to determine the source of the infringing goods.

1. Circumvention of Limited Exclusion Order by Proposed Respondents and others is Likely

345. On information and belief, Proposed Respondents and others intend to circumvent any limited exclusion order ("LEO") that is granted in this investigation. This intent can be derived at least in part on past attempts by at least some of the Proposed Respondents to circumvent previously issued exclusion orders in connection with the ITC 565 and ITC 946 Investigations and permanent injunctions issued in district court litigation.

346. For example, Proposed Respondents Dongguan Ocbestjet and Ocbestjet HK, collectively "Ocbestjet," were named respondents in the ITC 946 Investigation and subject to the GEO that issued as a result of that investigation. *See* Seitz Decl., ¶¶ 13-14, Exhs. 1.1, 1.2. Notwithstanding the GEO, on September 9, 2019, the ITC was forced to issue a seizure and forfeiture order against Ocbestjet for importing ink cartridges and/or components thereof covered

by the GEO. *See* Seitz Decl., ¶ 15, Exh. 1.3. Complainants also brought suit against Ocbestjet on June 15, 2022 in the United States District Court for the Central District of California for selling and importing ink cartridges that infringed the patents at issue in that litigation. *See* Seitz Decl., ¶ 16. Despite obtaining a permanent injunction enjoining Ocbestjet from importing such ink cartridges and components, on information and belief, Ocbestjet continues to sell and import infringing ink cartridge products.

347. As another example, Proposed Respondent Straightouttink attempted to import ink cartridges and/or components thereof in violation of the ITC 565 Investigation's GEO. *See* Seitz Decl., ¶ 183, Exh. 1.148. In response, the ITC issued a seizure and forfeiture order against Straightouttink on May 2, 2017. *See id.* On information and belief, these respondents, as well as numerous others, continue to import and sell infringing products in the U.S. in direct violation to these exclusion orders. Complainants also brought suit against Straightouttink on December 18, 2019 in the United States District Court for the Northern District of California for selling and importing ink cartridges that infringed the patents at issue in that litigation. *See* Seitz Decl., ¶ 182. Despite obtaining a permanent injunction enjoining Straightouttink from importing such ink cartridges and components, on information and belief, Straightouttink continues to sell and import infringing ink cartridge products.

348. Hence, at least some of the Proposed Respondents have a history of ignoring broad general exclusion orders and injunctions, which demonstrates their intent to circumvent narrower limited exclusion orders. On information and belief, other Proposed Respondents and non-respondents would also attempt to circumvent an LEO issued as a result of this investigation by continuing to import ink cartridges and components in violation thereof.

2. Market Conditions Create High Likelihood of Circumvention of LEO

349. The market conditions relevant to this investigation also support the issuance of a GEO. There is a very large demand in the market for ink cartridges for use with the scores of Epson printers at issue here. Moreover, there are a lot of foreign ink cartridge manufacturers that sell and import ink cartridges and components thereof or are, on information and belief, capable of selling and importing such cartridges and components that infringe the Asserted Patents. *See* Seitz Decl., ¶ 12. This makes it easy to circumvent an LEO specific to only the Proposed Respondents identified here.

350. Additionally, on information and belief, the barrier to entry into this market for new manufacturers is quite low. For example, there are many companies in China that sell empty plastic ink cartridge bodies, printed circuit boards featuring integrated circuits, and ink that can be easily assembled to create Epson printer-compatible ink cartridges that infringe the Asserted Patents. *See, e.g.,* Seitz Decl., ¶¶ 197, 203. The time needed to start manufacturing infringing ink cartridges and components thereof is relatively short. That labor is relatively inexpensive in China and there are a lot of people and companies there that also have the requisite industry experience and knowledge to make ink cartridges also supports entry of new manufacturers that can make infringing cartridges and components. On information and belief, the startup costs for manufacturing substantial quantities of ink cartridges and components thereof are relatively modest. There are many producers of plastic molded products, particularly in Asia, that could readily and inexpensively retool their production facilities to produce infringing ink cartridges and components thereof to replace the Proposed Respondents should the Commission enter only limited relief.

351. Finally, there are hundreds, if not thousands, of well-established distribution channels and online retailers that sell or are capable of selling ink cartridges and components

thereof that infringe the Asserted Patents. These include a plethora of online retailers and stores found on Alibaba, AliExpress, Amazon, Ebay, Temu, Etsy, and so on. *See generally* Seitz Decl. Such distribution channels and retailers create a market environment that is conducive to circumvent an LEO.

3. Proposed Respondents Engage in Business Practices That Make It Difficult for CBP to Determine the Source of Infringing Goods

352. A GEO is further supported by the business practices the Proposed Respondents engage in that make it difficult for the CBP to detect the source of the infringing ink cartridges and components thereof. For example, the Proposed Respondents have complex corporate structures and numerous corporate affiliates that makes it difficult to ascertain the true source of the infringing ink cartridges and components. *See, e.g.*, Seitz Decl., ¶¶ 13, 17, 19, 36, 42, 44, 48, 51, 57, 60, 66, 69, 75, 78, 111, 112, 115, 118, 119. As an example, and on information and belief, Ocbestjet Group members share manufacturing facilities located at Dongguan City, Guangdong Province, China, which they use to manufacture Accused Ink Cartridge Products. *See* Seitz Decl. ¶¶ 17, 19 and Exhs. 1.1 at p. 3-4, 1.3 at p. 2, 1.4 at ¶¶ 18-19, 1.6 at p. 1. On information and belief, the ink cartridges manufactured by Ocbestjet Group members are marketed and sold for importation into the United States on multiple websites, such as www.alibaba.com, www.ocbinks.com, and www.aliexpress.com. *See id.* at ¶¶ 17-35.

353. The Proposed Respondents also sell their infringing ink cartridges and components in unmarked or generic packaging that often bears no indication of the true manufacturer or source of the goods. *See, e.g.*, Seitz Decl., ¶¶ 25, 40, 73, Exhs. 1.11 at p. 8-9, 1.25 at p.14-17, 1.53 at p. 18-22. These practices make it difficult for the CBP to determine the source of infringing goods.

B. Widespread Pattern of Infringement and Difficulty in Identifying Source of Infringing Goods

354. There is a widespread pattern of infringement of the Asserted Patents by imported ink cartridges and components thereof, and it is difficult to identify all the sources of infringing products. To protect its patent rights, Complainants have been forced to initiate ITC Investigations, ultimately obtaining two GEOs (ITC 565 Investigation and ITC 946 Investigation), U.S. District Court cases, and foreign patent infringement suits based upon the foreign counterparts of the Asserted Patents. Despite Complainants' prior patent enforcement efforts, companies and individuals continue to import, offer to sell, and sell infringing ink cartridges and components thereof in flagrant violation of the prior GEOs and permanent injunctions. Indeed, as discussed above, at least two of the Proposed Respondents herein—Ocbestjet Group and Straightouttink—had Seizure and Forfeiture Orders issued against their importation of infringing products as well as permanent injunctions entered by district courts (*see* Seitz Decl. ¶¶ 14-15, 183, and Exh. 1.1, 1.2, 1.148). In direct contradiction of such orders, these respondents, as well as numerous others continue to import and sell infringing products in the U.S.

355. Moreover, there are numerous non-respondents that sell infringing ink cartridges and components thereof online that further demonstrates a pattern of widespread infringement. This includes hundreds, if not thousands, of well-established distribution channels and online retailers that sell or are capable of selling ink cartridges and components thereof that infringe the Asserted Patents, such as those found on Alibaba, AliExpress, Amazon, Ebay, Temu, Etsy, and so on. *See generally* Seitz Decl. On information and belief, such non-respondents also sell their infringing ink cartridges and components in unmarked or generic packaging that bears no indication of the true manufacturer or source of the goods, as is common in the compatible cartridge industry.

XI. RELIEF

WHEREFORE, by reason of the foregoing, Complainants request that the United States International Trade Commission:

(a) institute an immediate investigation pursuant to Section 337 of the Tariff Act of 1930, as amended, with respect to violations of that section based upon the importation into the United States, the sale for importation into the United States and/or the sale within the United States after importation, by the Proposed Respondents, of ink cartridges and components thereof that infringe Complainants' valid and enforceable U.S. Patent 8,764,172; 9,370,934; 11,535,038; 12,240,248; and 12,240,249.

(b) schedule and conduct a hearing on said unlawful acts and, following said hearing;

(c) issue a permanent general exclusion order, or, alternatively, a limited exclusion order, pursuant to 19 U.S.C. § 1337(d), forbidding entry into the United States of all ink cartridges and components thereof that infringe U.S. Patent Nos. 8,764,172; 9,370,934; 11,535,038; 12,240,248; and 12,240,249. A general exclusion order constitutes the appropriate relief in this case given the numerous sources abroad of infringing ink cartridges and components thereof and the available channels of distribution;

(d) issue permanent cease and desist orders, pursuant to 19 U.S.C. § 1337(f), prohibiting the Proposed Respondents from the importation, sale for importation, marketing, and/or advertising, distribution, offer for sale, sale, use after importation, sale after importation, packaging, or transfer within the United States of ink cartridges or components thereof encompassed by the claims of U.S. Patent Nos. 8,764,172; 9,370,934; 11,535,038; 12,240,248; and 12,240,249;

(e) issue such other orders and further relief as the Commission deems just and proper based upon the facts determined by the investigation and under the authority of the Commission.

Dated: May 13, 2025

Respectfully submitted,

/s/ Alex Lasher

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UNITED STATES INTERNATIONAL TRADE COMMISSION
Washington, D.C.

In the Matter of

**CERTAIN INK CARTRIDGES AND
COMPONENTS THEREOF**

Inv. No. 337-TA-____

VERIFICATION OF COMPLAINT

I, Jaime C. Ramsey, am the Director of General Affairs and Administration and the Assistant Corporate Secretary of Epson Portland Inc., and I am authorized to execute this verification on behalf of Complainants. I have read the Complaint and am aware of its contents. To the best of my knowledge, information, and belief and based upon a reasonable inquiry under the circumstances, I hereby certify that:

1. The allegations contained in the Complaint are well grounded in fact and have evidentiary support, or are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery;
2. The claims and other legal contentions set forth in the Complaint are warranted by existing laws or by a good faith, non-frivolous argument for extension, modification, or reversal of existing law, or by the establishment of new law; and
3. The Complaint is not being filed for any improper purpose, such as to harass or to cause unnecessary delay or needless increase in the cost of litigation.

Dated: May 13, 2025



Jaime C. Ramsey