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

11 CANON INC., a Japanese corporation,
12 Plaintiff,

13 v.

14 NINESTAR TECHNOLOGY
15 COMPANY, LTD., a New Jersey
16 corporation; NINESTAR
17 CORPORATION, a Chinese corporation;
18 and NINESTAR IMAGE TECH
19 LIMITED, a Hong Kong corporation,
20 Defendants.

Case No. 2:20-cv-8498

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

JURY TRIAL DEMANDED

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

1 Plaintiff Canon Inc. (“Canon”) brings this action for patent infringement
2 against Defendants Ninestar Technology Company, Ltd.; Ninestar Corporation;
3 and Ninestar Image Tech Limited (collectively, “Defendants”), and alleges as
4 follows:

5 **The Parties**

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

9 2. Canon is a leading innovator, manufacturer, and seller of a wide
10 variety of laser beam printers, inkjet printers, copying machines, cameras, and
11 other consumer, business, and industrial products.

12 3. On information and belief, Ninestar Technology Company, Ltd.
13 (“Ninestar Tech”) is a corporation organized and existing under the laws of the
14 State of New Jersey, with its principal place of business located at 17950 East Ajax
15 Circle, City of Industry, California 91748, and another place of business located at
16 13875 Ramona Ave., Chino, California 91710.

17 4. On information and belief, Ninestar Tech conducts activities via the
18 Internet at least through its website *ninestartechonline.com*.

19 5. On information and belief, Ninestar Corporation is an entity registered
20 in China, with its principal place of business located at No. 3883, Zhuhai Avenue,
21 Xiangzhou District, Zhuhai, Guangdong, China 519060.

22 6. On information and belief, Ninestar Corporation conducts activities
23 via the Internet at least through its website *ninestargroup.com* and through the
24 websites of the other Defendants.

25 7. On information and belief, Ninestar Image Tech Limited (“Ninestar
26 Image”) is an entity registered in Hong Kong, with a registered address of 9/F Unit
27 18, New Commerce Center, No. 9 On Lai Street, Shatin, Hong Kong, S.A.R., and
28 with its principal place of business located at No. 3883, Zhuhai Avenue,

1 Xiangzhou District, Zhuhai, Guangdong, China 519060.

2 8. On information and belief, Ninestar Image conducts activities via the
3 Internet at least through its websites *ggimage.com* and *ninestarimage.com*.

4 9. On information and belief, Ninestar Tech, Ninestar Corporation, and
5 Ninestar Image are all related companies, under common ownership and control,
6 and part of a common enterprise known as “Ninestar” or “G&G.”

7 **Jurisdiction and Venue**

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

11 11. This Court has personal jurisdiction over Ninestar Tech because its
12 principal place of business is located in this judicial district, and over all
13 Defendants because each has, directly or through intermediaries, committed acts
14 within California giving rise to this action and/or has established minimum
15 contacts with California such that the exercise of jurisdiction would not offend
16 traditional notions of fair play and substantial justice.

17 12. Venue with respect to Ninestar Tech is proper under 28 U.S.C.
18 § 1400(b) because it has committed infringing acts in this judicial district and has a
19 regular and established place of business in this judicial district.

20 13. Venue with respect to Ninestar Corporation and Ninestar Image is
21 proper under 28 U.S.C. §§ 1391(b) and (c) because they do not reside in the United
22 States and therefore may be sued in any judicial district where they are subject to
23 the court’s personal jurisdiction, including here in this judicial district.

24 **Canon’s Patents-in-Suit**

25 14. On December 26, 2017, U.S. Patent No. 9,851,688 (the “’688
26 patent”), titled “Electrophotographic Image Forming Apparatus, Developing
27 Apparatus, and Coupling Member,” duly and legally issued to Canon as assignee
28 of the inventors, Masanari Morioka, Shigeo Miyabe, and Takahito Ueno. A true

1 and correct copy of the '688 patent is attached as Exhibit 1.

2 15. On January 2, 2018, U.S. Patent No. 9,857,766 (the "'766 patent"),
3 titled "Electrophotographic Image Forming Apparatus, Developing Apparatus, and
4 Coupling Member," duly and legally issued to Canon as assignee of the inventors,
5 Masanari Morioka, Shigeo Miyabe, and Takahito Ueno. A true and correct copy
6 of the '766 patent is attached as Exhibit 2.

7 16. On April 14, 2020, U.S. Patent No. 10,620,582 (the "'582 patent"),
8 titled "Electrophotographic Image Forming Apparatus, Developing Apparatus, and
9 Coupling Member," duly and legally issued to Canon as assignee of the inventors,
10 Masanari Morioka, Shigeo Miyabe, and Takahito Ueno. A true and correct copy
11 of the '582 patent is attached as Exhibit 3.

12 17. On July 14, 2020, U.S. Patent No. 10,712,709 (the "'709 patent"),
13 titled "Electrophotographic Image Forming Apparatus, Developing Apparatus, and
14 Coupling Member," duly and legally issued to Canon as assignee of the inventors,
15 Masanari Morioka, Shigeo Miyabe, and Takahito Ueno. A true and correct copy
16 of the '709 patent is attached as Exhibit 4.

17 18. On July 14, 2020, U.S. Patent No. 10,712,710 (the "'710 patent"),
18 titled "Electrophotographic Image Forming Apparatus, Developing Apparatus, and
19 Coupling Member," duly and legally issued to Canon as assignee of the inventors,
20 Masanari Morioka, Shigeo Miyabe, and Takahito Ueno. A true and correct copy
21 of the '710 patent is attached as Exhibit 5.

22 19. Canon is the sole owner of the entire right, title, and interest in and to
23 the '688, '766, '582, '709, and '710 patents (collectively, "Asserted Patents"),
24 including the right to sue and recover for any and all infringements thereof.

25 20. The Asserted Patents are valid and enforceable.

26 **Defendants' Infringing Activities**

27 21. On information and belief, Defendants are engaged in the business of
28 manufacturing, using, selling, and/or offering to sell in the United States and/or

1 importing into the United States toner cartridges (hereafter, “Accused Products”)
2 for printers, including toner cartridges for use in certain Canon and HP color laser
3 beam printers, including but not limited to the following printers: Canon i-
4 SENSYS LBP7010C, Canon i-SENSYS LBP7018C, HP LaserJet Pro 100 MFP
5 M175nw, HP LaserJet Pro CP 1025, HP LaserJet Pro CP 1025nw, HP TopShot
6 LaserJet Pro M275 MFP, HP Color LaserJet Pro MFP M176, HP Color LaserJet
7 Pro MFP M176n, HP Color LaserJet Pro MFP M176fn, HP Color LaserJet Pro
8 MFP M177, and HP Color LaserJet Pro MFP M177fw.

9 22. Non-limiting examples of Accused Products sold by Defendants that
10 infringe the Asserted Patents include those bearing the designations 126A, HP
11 126A, CE310A, CE311A, CE312A, CE313A, NHCE310A, NHCE311A,
12 NHCE312A, NHCE313A, 130A, HP 130A, CF350A, CF351A, CF352A, CF353A,
13 NHCF350A, NHCF351A, NHCF352A, and NHCF353A.

14 23. On information and belief, Defendants offer to sell and sell the
15 Accused Products within this judicial district and elsewhere, including through
16 Ninestar websites, such as *ninestartechonline.com*, *ninestarimage.com*,
17 *ninestargroup.com*, and/or *ggimage.com*.

18 24. On information and belief, Defendants have substantial affiliations
19 with one another and are individually and collectively responsible and accountable
20 for the manufacture, use, sale, and/or offer for sale in the United States and/or
21 importation into the United States of Accused Products.

22 25. On information and belief, Ninestar Corporation is the ultimate parent
23 company of, and exercises full control over, Ninestar Image and Ninestar Tech.

24 26. According to the website *ninestarimage.com*, Ninestar Corporation
25 develops, manufactures, and sells toner cartridges, and “has established branches,
26 warehouses and logistics platforms in Holland, USA, Italy, Malaysia and Japan.”
27 Ex. 6.

28 27. The website *ninestarimage.com* further describes Ninestar Image as

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