

**UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C. 20436**

In the Matter of

**CERTAIN INKJET INK SUPPLIES AND
COMPONENTS THEREOF**

Investigation No. 337-TA-_____

**COMPLAINT OF HEWLETT-PACKARD COMPANY
UNDER SECTION 337 OF THE TARIFF ACT OF 1930, AS AMENDED**

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PROPOSED RESPONDENTS:

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LIST OF PHYSICAL EXHIBITS¹

- A. [not at issue in this Complaint]
- B. Mipo Int'l – Mipo black ink cartridge
- C. Mipo Int'l – Mipo colored ink cartridge
- D. Shanghai Angel – Handsome black ink cartridge
- E. Shanghai Angel – Handsome colored ink cartridge
- F. Shenzhen Print – Merax black ink cartridge
- G. Shenzhen Print – Merax colored ink cartridge
- H. Zhuhai National – InkTank black ink cartridge
- I. Zhuhai National – InkTank colored ink cartridge
- J. Tatrix – PerfectCLR black ink cartridge
- K. Tatrix – PerfectCLR colored ink cartridge
- L. HP 02 (C8721W) black ink cartridge
- M. HP 02 (C8772W) colored ink cartridge

¹ The physical exhibits referenced throughout this Complaint were previously submitted as physical exhibits to the Complaint filed in the 337-TA-691 Investigation. Complainants request that those exhibits remain with the Commission as if refiled with this Complaint.

LIST OF APPENDICES

- A. Certified Copy of Prosecution History of the '985 Patent
- B. Certified Copy of Prosecution History of the '630 Patent
- C. References Mentioned in the Prosecution Histories of the '985 and '630 Patents

I. INTRODUCTION

1.1 Complainants Hewlett-Packard Company (“HP”) and Hewlett-Packard Development Company, L.P. (“HPDC”) (collectively “Complainants”) request that the United States International Trade Commission commence an investigation pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 (“Section 337”), to remedy the unlawful importation into the United States, the sale for importation, and/or the sale within the United States after importation by the owner, importer, or consignee (or any agent of the owner, importer or consignee), of certain inkjet ink supplies and components thereof (collectively “accused products”) that infringe valid and enforceable United States patents owned by HP.

1.2 On information and belief, the proposed respondents, Mipo International Ltd.; Mextec Group Inc. d/b/a Mipo America Ltd.; Shanghai Angel Printer Supplies Co. Ltd.; Shenzhen Print Media Co., Ltd.; Zhuhai National Resources & Jingjie Imaging Products Co., Ltd.; Tatrix International; and Ourway Image Co., Ltd. (collectively “proposed respondents” or “respondents”), have engaged in violations of Section 337 through the unlicensed importation into the United States, the sale for importation, and/or the sale within the United States after importation of certain inkjet ink supplies and components thereof (“accused products”) that infringe one or more claims of United States Patent Nos. 6,959,985 (“the ’985 Patent”) and 7,104,630 (“the ’630 Patent”) (collectively, the “HP Patents”).

1.3 Certified copies of the ’985 and ’630 patents accompany this Complaint as **Exhibits 1-2**, respectively. HP owns by assignment the entire right, title, and interest in and to

these patents. Certified copies of the recorded assignments of the HP Patents accompany this Complaint as **Exhibit 3**.²

1.4 As required by Section 337(a)(2) and defined in Section 337(a)(3), an industry in the United States exists relating to HP's products, all of which are covered by each of the HP Patents.

1.5 Complainants seek an exclusion order, pursuant to Section 337(d), permanently excluding the accused products from entry into the United States. Complainants also seek cease and desist orders, pursuant to Section 337(f), directing each respondent and its related entities to cease and desist the importation into the United States, the sale for importation, and/or the sale within the United States after importation of the accused products. Complainants also request that the cease and desist orders direct each respondent and its related entities and agents to cease demonstrating, selling, offering for sale, and using the accused products and to cease transferring, moving, or shipping their United States inventory of the accused products.

II. COMPLAINANTS

2.1 HP is a Delaware corporation having a principal place of business at 3000 Hanover Street, Palo Alto, California 94304. HPDC is a wholly-owned subsidiary of Hewlett-Packard Company, and is a Texas limited partnership having a principal place of business at 11455 Compaq Center Drive West, Houston, Texas 77070. *See Exhibit 5*. HPDC is a licensing holding company responsible for the ownership of a significant portion of Hewlett-Packard's intellectual property.

2.2 HP focuses on simplifying technology experiences for all of its customers—from individual consumers to the largest businesses. Specifically, HP is in the business of

² HPDC, the last recorded owner of the asserted patents, assigned the '985 and '630 patents to HP in June 2010. Attached as **Exhibit 4** is a copy of the unrecorded assignment from HPDC to HP.

manufacturing and selling products that span the areas of printing, personal computing, software, services, and IT infrastructure. Indeed, no other company offers as complete a technology product portfolio as HP. This comprehensive portfolio helps HP match the right products, services and solutions to its customers' specific needs. HP's revenues were approximately \$118.4 billion for the fiscal year that ended October 31, 2008. While the company's corporate headquarters are located in Palo Alto, California, HP is truly global in scope, with 320,000 employees doing business in more than 170 countries around the world, and 69% of its revenue coming from outside the United States. Fortune ranked HP in 9th place in its 2009 Fortune 500 rankings publication.

2.3 HP has three business groups that drive industry leadership in core technology areas: 1) The Personal Systems Group (business and consumer PCs, mobile computing devices and workstations); 2) The Imaging and Printing Group: inkjet, LaserJet and commercial printing, printing supplies, digital photography and entertainment; and 3) HP Enterprise Business: business products including storage and servers, EDS, managed services and software.

2.4 The HP Imaging and Printing Group is the recognized industry leader of the digital transformation of printing. For the home, the office, and graphics markets, HP has a wide range of award-winning products and services offering its customers exciting new ways to be creative, save money, and improve productivity. HP is a pioneer in inkjet printing technology, having introduced the world's first consumer inkjet printers in 1984. Since then, HP has sold millions of inkjet printers and print cartridges in the United States and throughout the world, continually improving the technology. HP ships more than 1 million printers per week worldwide, and IDC ranks HP as number 1 in inkjet and laser printer hardware market share.

2.5 HP's most recent Quarterly Report and Annual Report are available via its web site, www.hp.com.

III. PROPOSED RESPONDENTS

3.1 On information and belief, proposed respondent **Mipo International Ltd.** ("Mipo Int'l") is a company organized and existing under the laws of Hong Kong with its principal place of business located at 7/F Wong Tze Building, 71 Hoe Yuen Road, Kwun Tong, Kowloon, Hong Kong. *See Exhibit 6.* On information and belief, Mipo Int'l manufactures the accused products in Hong Kong, and Mipo International and others, including Mextec Group Inc., d/b/a Mipo America Ltd. ("Mipo America"), import those accused products into the United States, sell the accused products for importation into the United States, and/or sell the accused products after they have been imported into the United States. *See Exhibit 7.*

(<http://www.importgenius.com/importers/mipo-america-limited-mexitec.html>).³ On information and belief, Mipo Int'l is affiliated with proposed respondent Mipo America. *Id.*

3.2 On information and belief, proposed respondent **Mipo America** is a corporation organized and existing under the laws of the State of Florida with its principal place of business located at 3100 N.W. 72nd Avenue #106, Miami, Florida 33122. *See Exhibit 8.* On information and belief, Mipo America has additional offices in California and North Carolina. *See Exhibit 9.* On information and belief, Mipo America imports the accused products into the United States, sells the accused products for importation into the United States, and/or sells the accused products after they have been imported into the United States. On information and belief, Mipo America is affiliated with proposed respondent Mipo Int'l. *Id;* *see Exhibit 7.*

³ ImportGenius.com, a tracker of import-export records, lists Mipo America Limited as a consignee of materials from shipper Mipo Technology Ltd.

3.4 On information and belief, proposed respondent **Shanghai Angel Printer Supplies Co. Ltd.**, (“Shanghai Angel”), is a corporation organized and existing under the laws of China with its principal place of business located at No. 81 Kanguan Road, Zhujiajiao Industrial Zone, Qingpu District, Shanghai, China. *See Exhibit 10.* On information and belief, Shanghai Angel manufactures the accused products in China, and Shanghai Angel and others import those accused products into the United States, sell the accused products for importation into the United States, and/or sell the accused products after they have been imported into the United States.

3.5 On information and belief, proposed respondent **Shenzhen Print Media Co., Ltd.** (“Shenzhen Print”) is a corporation organized and existing under the laws of China with its principal place of business located at Room 10A Xingfu Ge Zhongfu Building (129), Fumin Rd., Futian District, Shenzhen, China. *See Exhibit 11.* On information and belief, Shenzhen Print manufactures the accused products in China, and Shenzhen Print and others, including Comptree Ink d/b/a Meritline, ABCInk, EZ Label, and CDR DVDR Media (“Comptree”), import those accused products into the United States, sell the accused products for importation into the United States, and/or sell the accused products after they have been imported into the United States.

3.6 On information and belief, proposed respondent **Zhuhai National Resources & Jingjie Imaging Products Co., Ltd.** (“Zhuhai National”) is a corporation organized and existing under the laws of China with its principal place of business located at No. 1 Industrial Building, Pingdong 2 Road, Nanping S&T Industrial Community, Zhuhai, Guangdong, China. *See Exhibit 12.* On information and belief, Zhuhai National manufactures the accused products in China, and Zhuhai National and others then import those accused products into the United States, sell the accused products for importation into the United States, and/or sell the accused products

after they have been imported into the United States. On information and belief, Zhuhai National is affiliated with proposed respondent Tatrix International.

3.7 On information and belief, proposed respondent **Tatrix International** (“Tatrix”) is a corporation organized and existing under the laws of China with its principal place of business located at 10 C, Garden Building, No. 1083 JiuZhou Road, Jida, Zhuhai, Guangdong, China 519015. *See Exhibit 13.* On information and belief, Tatrix purchases or otherwise obtains products manufactured by Zhuhai National in China, and Tatrix and others import those accused products into the United States, sell the accused products for importation into the United States, and/or sell the accused products after they have been imported into the United States. *See id.*

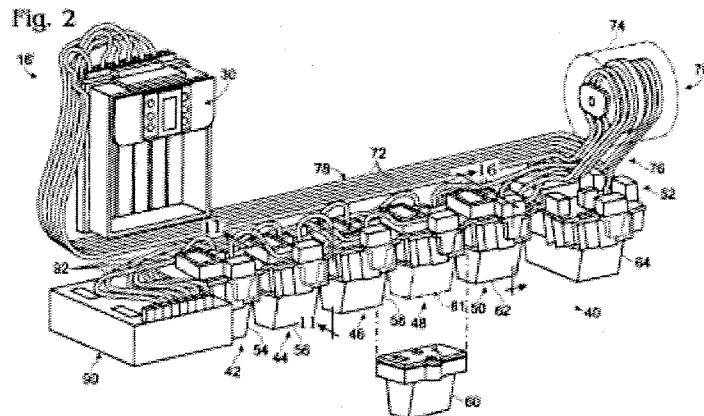
3.8 On information and belief, proposed respondent **Ourway Image Co., Ltd.** (“Ourway”) is a corporation organized and existing under the laws of China with its principal place of business located at No. 125 Renmin East Road, Zhuhai, Guangdong, China. *See Exhibit 14.* On information and belief, Ourway manufactures the accused products in China, and Ourway and others import those accused products into the United States, sell the accused products for importation into the United States, and/or sell the accused products after they have been imported into the United States.

IV. THE TECHNOLOGY AND PRODUCTS AT ISSUE

4.1 The products involved in this investigation are certain inkjet ink supplies and components thereof. Inkjet printers have become popular as a result of their high print quality and their quiet and fast operation. Typically, an inkjet printer uses a print head mounted on a carriage that moves relative to a printing surface. A control system activates inkjets on the

moving print head at the appropriate locations, causing the print head to eject ink drops onto the printing surface, thereby forming desired images and characters.

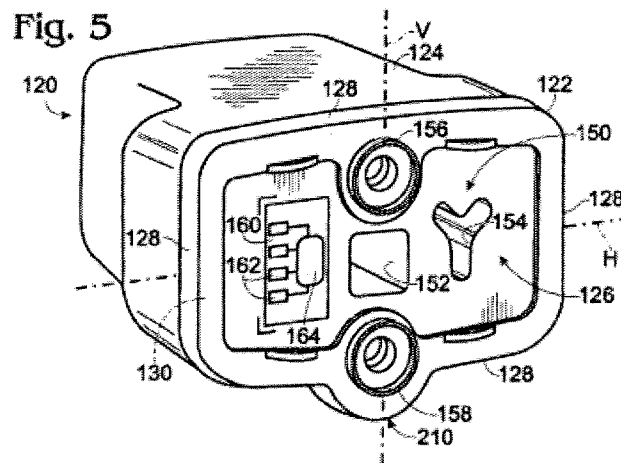
4.2 An important characteristic of a printer is the speed at which it can print. In inkjet printers, one way to increase the speed is to move the print head more quickly. In order to maintain a sizeable reservoir of ink while decreasing the mass of the carriage, the ink supply can be separated from the print heads and sold as a separate, replaceable component. This separate component is referred to as an off-axis ink supply. Figure 2 from the '985 Patent illustrates a printing fluid delivery system in which a print head 30 on the carriage is separated from the ink supply station 40. See **Exhibit 1**.



4.3 Printers often use one or more replaceable containers 60 to hold the ink supply. Such containers need to be replaced once the ink container is unable to deliver ink, e.g., when all of the ink in the container has been used. Generally, users prefer ink containers that can hold greater volumes of ink and thus do not require frequent replacement. When replacement is necessary, users also prefer an ink container that is easy to replace. Moreover, a reliable mechanism is needed to ensure that a user is not required to manually input parameters to

prevent the ink supply from running dry. Without such a mechanism, a user may attempt to print with an empty ink supply and cause harm to the print heads.

4.4 The technology covered by the HP Patents relates to ink supplies that solve these problems. Figure 5 of the '985 Patent illustrates a replaceable printing fluid container 120 that can hold a supply of ink in the reservoir that is formed when an ink container lid 122 binds to a reservoir body 124. See **Exhibit 1**. The printing fluid container includes an interface package, e.g., various mechanical, fluidic, and/or electrical interfaces, that are designed to enable and enhance the delivery of ink from the ink container.



4.5 A standardized ink container lid may be paired with reservoir bodies of different sizes, allowing for various volumes of ink to be stored and delivered. A printer system can thus use two or more containers with different volumes simultaneously, thereby increasing the flexibility of the printer configuration. Large ink containers may be used for ink supplies that are most commonly used, such as a black ink supply. By using a container with a large reservoir body, the need to replace the container becomes less frequent. In addition, multiple containers

may be used simultaneously in a printer system, each of which contains different ink colors such as yellow, magenta, or cyan.

4.6 An ink container lid may also contain a feature, such as an alignment pocket or keying pocket, that is designed to mate with a corresponding feature on an ink container bay. This aspect of the ink container lid facilitates the installation of an ink container by ensuring proper alignment and preventing users from attempting to install incompatible ink supplies into their printing system. Moreover, the overall shape of the container may include a shoulder portion that meets a rear portion, thereby creating a latching surface that allows for retention of the container in an ink container bay.

4.7 The ink container lid may also include an electrical interface, such as an electrical storage device, that allows communication between the printing-fluid container and the printing system. The electrical storage device may contain digitally encoded information relating to different parameters, such as an ink scale parameter and a fill proportion parameter, to specify the ink volume of the container. The device may also include tag family identifiers that allow a printing system to identify the replaceable printing component.

4.8 The HP Patents cover devices that are manufactured in a cost-effective manner, while retaining the benefits of these features, among others. The devices are able to hold different volumes of ink based on the size of the reservoir body and allow for easy installation with the use of features that assist with proper alignment and latching.

4.9 At issue in this investigation is the proposed respondents' infringement of two United States patents: the '985 and '630. HP overviews each patent below.

V. THE '985 PATENT

A. Identification of the Patent and Ownership by HP

5.1 The '985 Patent is entitled "Printing-Fluid Container" and issued November 1, 2005. The '985 patent issued from U.S. Patent Application No. 10/633,064, filed July 31, 2002. The '985 patent identifies Charlie Steinmetz, Curt Gonzales, and Daniel Petersen as the inventors.

5.2 HP is the owner, by valid assignment, of the entire right, title, and interest in and to the '985 Patent. *See Exhibits 3 and 4.* The '985 Patent is valid, enforceable, and currently is in full force and effect.

5.3 Pursuant to Rule 210.12(c) of the Commission's Rules of Practice and Procedure, this Complaint is accompanied by **Appendices A and C** containing: A) four copies of the prosecution history of the '985 patent, and B) four copies of each patent and applicable pages of each technical reference mentioned in that prosecution history.

B. Non-Technical Description of the Patented Invention⁴

5.4 The '985 Patent relates to the configuration of a printing-fluid container, such as an ink cartridge, which can hold a volume of printing fluid. The container's body and structure are directed to aid in latching the cartridge to an ink-jet system. The container has an interface lid and a reservoir body that couples with the lid. The reservoir body and the lid provide a bounded volume in which ink may be contained. The reservoir body has a shoulder portion approximately the same width as the lid and a rear portion of a width smaller than the width of the shoulder portion. This configuration allows, for example, a rim portion to be formed where the rear portion meets the shoulder, which allows for a latching surface to be created on the rim and an effective retention of the container in an ink-container bay. The container includes various elements, such as mechanical, electrical and/or fluidic interfaces, that correspond to

⁴ The content of this Complaint, including this section (i.e., "Non-Technical Description of the Patented Invention"), does not, and is not intended to, construe either the specification or claims of the '985 patent.

complementary elements of an ink-container bay and enable and/or enhance ink delivery from the container.

C. Foreign Counterparts to the '985 Patent

5.5 **Exhibit 15** lists all foreign patents and foreign patent applications corresponding to the '985 Patent and their prosecution status. No additional foreign patents/applications corresponding to the '985 Patent have been filed, abandoned, withdrawn, or rejected.

VI. THE '630 PATENT

A. Identification of the Patent and Ownership by HP

6.1 The '630 Patent is entitled "Printing-Fluid Container" and issued September 12, 2006. The '630 patent issued from U.S. Patent Application No. 10/632,508, filed July 31, 2003. The '630 patent identifies Charlie Steinmetz, Curt Gonzales, Daniel Petersen, Peter Hwang, and Lisa Hanson as the inventors.

6.2 HP is the owner, by valid assignment, of the entire right, title, and interest in and to the '630 Patent. *See Exhibits 3 and 4.* The '630 Patent is valid, enforceable, and currently is in full force and effect.

6.3 Pursuant to Rule 210.12(c) of the Commission's Rules of Practice and Procedure, this Complaint is accompanied by **Appendices B and C** containing: A) four copies of the prosecution history of the '630 patent, and B) four copies of each patent and applicable pages of each technical reference mentioned in that prosecution history.

B. Non-Technical Description of the Patented Invention⁵

6.4 The '630 Patent relates to a printing-fluid container, such as an ink cartridge. The container includes an interface package having various interface features (e.g., mechanical,

⁵ The content of this Complaint, including this section (i.e., "Non-Technical Description of the Patented Invention"), does not, and is not intended to, construe either the specification or claims of the '630 patent.

electrical, and/or fluidic interfaces) that correspond to complementary elements of an ink-container bay, which may receive the container. These features enable and/or enhance ink delivery from the container. The interface may be an alignment pocket for positioning the ink container with an ink-container bay such that the various features (e.g., an air interface) of the container properly align with corresponding elements (e.g., an air connector) of the ink-container bay. The alignment pocket can be recessed from the front face, providing for example, a robust interface that is less prone to damage as compared to interfaces that protrude from the leading surface.

The alignment pocket can be on the leading surface of the container, with the various mechanical, electrical, and/or fluidic interfaces arranged on the leading surface proximate the alignment pocket. Such a configuration facilitates, for example, alignment of the interfaces with corresponding features of an ink-container bay and may minimize the effects of any movement allowed by the alignment interface of the ink-container bay.

C. Foreign Counterparts to the '630 Patent

6.5 **Exhibit 15** lists all foreign patents and foreign patent applications corresponding to the '630 Patent and their prosecution status. No additional foreign patents/applications corresponding to the '630 Patent have been filed, abandoned, withdrawn, or rejected.

VII. UNLAWFUL AND UNFAIR ACTS OF PROPOSED RESPONDENTS

7.1 On information and belief, proposed respondents' accused HP 02-compatible colored ink (e.g., cyan, magenta, yellow, light cyan and light magenta colored ink) cartridges infringe at least the following independent and dependent claims of the Asserted Patents: claims 1-5, 7, 22-25, 27 and 28 of the '985 patent and claims 1-7, 11-12, 14, 26-30, 32, 34-35 of the '630 Patent. On information and belief, proposed respondents' accused HP 02-compatible black ink cartridges infringe at least the following independent and dependent claims of the Asserted

Patents: claims 1-5, 7, 22-25, 27 and 28 of the '985 patent and claims 1-7, 12, 14, 26, 28-30, 32, 34-35 of the '630 Patent. Discovery may reveal that proposed respondents infringe additional claims of the asserted patents.

7.2 On information and belief, the accused products are manufactured at least in China by or for the proposed respondents and imported into the United States, sold for importation, and/or sold within the United States after importation by the proposed respondents herein. On information and belief, the accused products include at least the following products: Mipo's HP 02-compatible ink cartridges in black (02 C8721W), cyan (02 C8771W), magenta (02 C8772W), yellow (02 C8773W), light cyan (02 C8774W), and light magenta (02 C8775W); Shanghai Angel Printer HP 02-compatible Handsome ink cartridges in black (CH02 C8721W), cyan (CH02 C8771W), magenta (CH02 C8772W), yellow (CH02 C8773W), light cyan (CH02 C8774W), and light magenta (CH02 C8775W); Shenzhen Print Media HP 02-compatible Merax ink cartridges (PM-HR4 or 6-pack HP 02 Compatible Refillable Inkjet Cartridges Combo) in black (02B), cyan (02C), magenta (02M), yellow (02Y), light cyan (02LC), and light magenta (02LM); Zhuhai National Resources HP 02-compatible standard (H-02, RC-02) and high-capacity (H-02XL, R-02XL) InkTank ink cartridges in black, cyan, magenta, yellow, light cyan, and light magenta; Tatrix HP 02-compatible standard (H-02, RC-02) and high-capacity (H-02XL, R-02XL) PerfectCLR ink cartridges in black, cyan, magenta, yellow, light cyan, and light magenta; Ourway HP 02-compatible DigitalSt@r ink cartridges in black (DS-801B), cyan (DS-801C), magenta (DS-801M), yellow (DS-801Y), light cyan (DS-801LC), and light magenta (DS-801LM). Exemplary photographs of a representative set of these products are attached to this Complaint as **Exhibit 16**. Discovery likely will reveal additional products that infringe.

A. Mipo Int'l and Mipo America

7.1 On information and belief, Mipo Int'l manufactures ink cartridges in China and sells such cartridges for importation into the United States, at least to Mipo America. On information and belief, Mipo America imports and/or sells after importation into the United States Mipo Int'l ink cartridges. On information and belief, Mipo Int'l and Mipo America sell for importation, import and/or sell after importation into the United States HP 02-compatible black ink cartridges that infringe at least independent and dependent claims 1-5, 7, 22-25, 27 and 28 of the '985 patent and claims 1-7, 12, 14, 26, 28-30, 32, 34-35 of the '630 Patent. On information and belief, Mipo Int'l and Mipo America sell for importation, import and/or sell after importation into the United States HP 02-compatible colored ink cartridges that infringe at least claims 1-5, 7, 22-25, 27 and 28 of the '985 Patent and claims 1-7, 11-12, 14, 26-30, 32, 34-35 of the '630 Patent. Claim charts that apply the independent claims of the Asserted Patents to a representative Mipo Int'l/ Mipo America HP 02-compatible colored ink cartridge are attached hereto as **Exhibit 17**. Those claim charts are based upon knowledge gained from physical observation of the accused products. **Physical Exhibits B and C** are samples of Mipo Int'l HP 02-compatible black ink and colored ink cartridges.

B. Shanghai Angel

7.2 On information and belief, Shanghai Angel manufactures ink cartridges in China and sells such cartridges for importation into the United States. On information and belief, Shanghai Angel sells for importation, imports and/or sells after importation into the United States HP 02-compatible black ink cartridges that infringe at least independent and dependent claims 1-5, 7, 22-25, 27 and 28 of the '985 patent and claims 1-7, 12, 14, 26, 28-30, 32, 34-35 of the '630 Patent. On information and belief, Shanghai Angel sells for importation, imports and/or sells after importation into the United States HP 02-compatible colored ink cartridges that infringe at least claims 1-5, 7, 22-25, 27 and 28 of the '985 patent and claims 1-7, 11-12, 14, 26-

30, 32, 34-35 of the '630 Patent. Claim charts that apply the independent claims of the Asserted Patents to a representative Shanghai Angel HP 02-compatible colored ink cartridge are attached hereto as **Exhibit 18**. Those claim charts are based upon knowledge gained from physical observation of the accused products. **Physical Exhibits D and E** are samples of a Shanghai Angel HP 02-compatible black ink and colored ink cartridge.

C. Shenzhen Print Media

7.3 On information and belief, Shenzhen Print Media manufactures ink cartridges in China and sells such cartridges for importation into the United States. On information and belief, Shenzhen Print sells for importation, imports and/or sells after importation into the United States HP 02-compatible black ink cartridges that infringe at least independent and dependent claims 1-5, 7, 22-25, 27 and 28 of the '985 patent and claims 1-7, 12, 14, 26, 28-30, 32, 34-35 of the '630 Patent. On information and belief, Shenzhen Print sells for importation, imports and/or sells after importation into the United States HP 02-compatible colored ink cartridges that infringe at least claims 1-5, 7, 22-25, 27 and 28 of the '985 patent and claims 1-7, 11-12, 14, 26-30, 32, 34-35 of the '630 Patent. Claim charts that apply the independent claims of the Asserted Patents to a representative Shenzhen Print HP 02-compatible colored ink cartridge are attached hereto as **Exhibit 19**. Those claim charts are based upon knowledge gained from physical observation of the accused products. **Physical Exhibits F and G** are samples of a Shenzhen Print HP 02-compatible black ink and colored ink cartridge.

D. Zhuhai National Resources and Tatrix

7.4 On information and belief, Zhuhai National manufactures ink cartridges in China and sells such cartridges for importation into the United States. On information and belief, Zhuhai National sells for importation, imports and/or sells after importation into the United States HP 02-compatible black ink cartridges that infringe at least independent and dependent

claims 1-5, 7, 22-25, 27 and 28 of the '985 patent and claims 1-7, 12, 14, 26, 28-30, 32, 34-35 of the '630 Patent. On information and belief, Zhuhai National sells for importation, imports and/or sells after importation into the United States HP 02-compatible colored ink cartridges that infringe at least claims 1-5, 7, 22-25, 27 and 28 of the '985 patent and claims 1-7, 11-12, 14, 26-30, 32, 34-35 of the '630 Patent. Claim charts that apply the independent claims of the Asserted Patents to a representative Zhuhai National HP 02-compatible colored ink cartridge are attached hereto as **Exhibit 20**. Those claim charts are based upon knowledge gained from physical observation of the accused products. **Physical Exhibits H and I** are samples of a Zhuhai National HP 02-compatible black ink and colored ink cartridge.

7.5 On information and belief, Tatrix purchases or otherwise obtains ink cartridges in China and sells such cartridges for importation into the United States. On information and belief, Tatrix sells for importation, imports and/or sells after importation into the United States HP 02-compatible black ink cartridges that infringe at least independent and dependent claims 1-5, 7, 22-25, 27 and 28 of the '985 patent and claims 1-7, 12, 14, 26, 28-30, 32, 34-35 of the '630 Patent. On information and belief, Tatrix sells for importation, imports and/or sells after importation into the United States HP 02-compatible colored ink cartridges that infringe at least claims 1-5, 7, 22-25, 27 and 28 of the '985 patent and claims 1-7, 11-12, 14, 26-30, 32, 34-35 of the '630 Patent. Claim charts that apply the independent claims of the Asserted Patents to a representative Tatrix HP 02-compatible colored ink cartridge are attached hereto as **Exhibit 21**. These claim charts are based upon knowledge gained from physical observation of the accused products. **Physical Exhibits J and K** are samples of a Tatrix HP 02-compatible black ink and colored ink cartridge.

E. Ourway

7.6 On information and belief, Ourway Image manufactures ink cartridges in China and sells such cartridges for importation into the United States. On information and belief, Ourway Image sells for importation, imports and/or sells after importation into the United States colored ink cartridges that infringe at least independent and dependent claims 1-5, 7, 22-25, 27 and 28 of the '985 patent and claims 1-7, 11-12, 14, 26-30, 32, 34-35 of the '630 Patent. Claim charts that apply the independent claims of the Asserted Patents to a representative Ourway Image colored ink cartridge are attached hereto as **Exhibit 22**. Those claim charts are based upon knowledge gained from physical observation of the accused products. Discovery will likely reveal that Ourway manufactures additional cartridges, including black ink cartridges, that infringe one or more claims of the Asserted Patents.

7.7 Proposed respondents have been given notice of the asserted infringement by correspondence and by service of this Complaint.

VIII. SPECIFIC INSTANCES OF UNFAIR IMPORTATION AND SALE

A. Mipo Int'l and Mipo America

8.1 On information and belief, Mipo Int'l manufactures infringing ink cartridges in China, including "Mipo" brand cartridges. *See Exhibit 6*. On information and belief, Mipo Int'l, Mipo America, and others import those accused products into the United States for sale, sell those accused products for importation, and/or sell those accused products after importation. *See Exhibit 6-9*.

8.2 The following instances are representative examples of specific instances of unfair importation and sale.

8.3 Mipo was an exhibitor at the 2009 World Expo. *See Exhibit 23*. At the Expo, Mipo representatives told an HP representative that they had products available for "HP ink

tanks” that can be purchased via www.amazon.com and directly from Mipo out of their Miami sales office.

8.4 On information and belief, www.amazon.com has offered for sale in the United States Mipo’s accused products and sold them after importation into the United States. A printout from www.amazon.com offering the accused products for sale is attached as **Exhibit 24**. Mipo also offers for sale in the United States its infringing products on its website, www.hqinkjets.com. See **Exhibit 25**.

8.5 On or around February 27, 2009, HP purchased Mipo’s infringing ink cartridges on www.amazon.com. Printouts of the post-order summary, receipt, and shipping information reflecting the purchase of the Mipo’s ink supply in the United States are attached as **Exhibit 26**. On March 13, 2009, HP received infringing Mipo ink cartridges in its Vancouver, Washington office. A photograph of Mipo products that HP received from www.amazon.com is attached as **Exhibit 16**.

8.6 On information and belief, Mipo’s infringing products are also offered for sale on www.craigslist.com. On information and belief, Mipo America sells Mipo’s accused products on the [craigslist.com](http://www.craigslist.com) website. A printout from the [craigslist.com](http://www.craigslist.com) website offering the accused products for sale is attached as **Exhibit 27**. On or around August 14, 2009, an individual, on behalf of HP, responded to the advertisement for the accused products and was later contacted by a representative of Mipo America. The individual placed an order for the infringing Mipo cartridges. On or around August 21, 2009, on information and belief, the individual received a shipment from Mipo America that contained, among other things, three of Mipo’s infringing black ink HP 02-compatible cartridges. The shipment was received at the individual’s Red Bank, New Jersey address. On August 24, 2009, the individual forwarded the unopened package

to HP's counsel in their Washington, D.C. office. Photocopies of the invoice and packing list relating to that purchase are attached as **Exhibit 28**. Photographs of the infringing Mipo products that HP's counsel received through the www.craigslist.com advertisement are attached as **Exhibit 29**.

8.7 On August 26, 2009, the individual purchased a second order of Mipo ink cartridges on behalf of HP from the www.craigslist.com advertisement. On August 28, 2009, the individual received a shipment from the craigslist.com seller that contained three sets of Mipo's infringing colored ink cartridges. The shipment was received at the individual's Red Bank, New Jersey address. On September 3, 2009, the individual forwarded the unopened package to HP counsel's Washington, D.C. office, where it was received on September 4, 2009. A photocopy of the invoice relating to that purchase is attached as **Exhibit 30**.

8.8 On information and belief, Mipo's accused products are made in China. Although Chinese text and the manufacturer name appear on the box, no country of origin is marked on the infringing cartridges or box. Mipo's website, however, indicates that its production facility is located in Guangzhou, China and does not indicate that it has production facilities elsewhere. *See Exhibit 6*. In addition, its website states that Mipo's "factory is well equipped by high-end technologies under sophisticated automatic production facilities" and that their "products are certified by ISO 9001 International Standard." *Id.* The box in which the accused Mipo products arrived is marked with the phrase "ISO 9001 Satisfaction Guarantee," *see Exhibit 31*, indicating that the accused products were manufactured in Mipo's Gangzhou-based production facility.

8.9 Piers Global Intelligence Solutions ("Piers") maintains a comprehensive database of import and export information of the cargoes moving through ports in the United States, Asia, and Latin America. *See Exhibit 32*. A search performed on the Piers database shows regular

shipments of inkjet cartridges from Mipo Int'l in China to Mipo America in Florida. *See Exhibit 33.*

8.10 Further discovery likely will reveal additional specific acts of Mipo Int'l and Mipo America's importation of the accused products into the United States, sale for importation, and sale after importation.

8.11 A representative infringing Mipo cartridge infringes one or more of the claims of the patents-in-suit as demonstrated in the claim charts attached as **Exhibit 17**.

B. Shanghai Angel

8.12 On information and belief, Shanghai Angel manufactures infringing ink cartridges in China, including "Handsome" brand cartridges. In its website, www.handsomes.net, Shanghai Angel states that "[u]p to now, Shanghai Angel has successfully finished development and exploitation of five types of inkjet cartridges . . . , all of which have been testified as with excellent compatibility with many HP printers." *See Exhibit 10*. On information and belief, Shanghai Angel and others import those accused products into the United States for sale, sell those accused products for importation, and/or sell those accused products after importation.

8.13 The following instances are representative examples of specific instances of unfair importation and sale.

8.14 On information and belief, a website called www.inkforsale.net has advertised Shanghai Angel's accused products for sale and sold them after importation into the United States. A printout from the www.inkforsale.net website offering the accused products for sale is attached as **Exhibit 34**.

8.15 On February 27, 2009, HP purchased Shanghai Angel Handsome brand cartridges on the www.inkforsale.net website. On March 3, 2009, HP received a full set of infringing HP 02-compatible Shanghai Angel Handsome ink cartridges in its Vancouver, Washington office.

A photograph of the Shanghai Angel products HP received through that order is attached as **Exhibit 16**. Also attached are relevant documents pertaining to that order, including an order confirmation and invoice, reflecting the purchase of the Shanghai Angel's ink supply in the United States. *See Exhibit 35*.

8.16 On August 5, 2009, HP's counsel purchased additional Handsome brand cartridges on the www.inkforsale.net website. On August 10, 2009, those cartridges were received in HP counsel's Washington, D.C. office. Attached are printouts of the order status, invoice, as well as photographs of the relevant labels, packaging materials, and products from SmartOne reflecting the purchase of Shanghai Angel's ink supply in the United States. *See Exhibit 36*.

8.17 On information and belief, Shanghai Angel's accused products are made in China. Although Chinese text and the manufacturer name appear on the box in which the cartridges are packaged, no country of origin is marked on the infringing cartridges or box. Shanghai Angel's website, however, indicates that its production facilities are located in Qingpu Industrial Zone in China and does not indicate that it has production facilities elsewhere. *See Exhibit 37*.

8.18 A search performed on the Piers database shows regular shipments of printer parts from Shanghai Angel Printer Supplies in China to SmartOne in California and other U.S.-based companies. *See Exhibit 33*.

8.19 Discovery will likely reveal additional specific acts of Shanghai Angel's importation into the United States, sale for importation, and/or sale after importation of the accused products.

8.20 A representative infringing Shanghai Angel Handsome cartridge infringes one or more of the claims of the patents-in-suit as demonstrated in the claim charts attached as **Exhibit 18**.

C. Shenzhen Print Media

8.21 On information and belief, Shenzhen Print manufactures in China infringing ink cartridges, including “Merax” brand cartridges. *See Exhibit 38* (product list from Shenzhen Print’s website that includes the infringing Merax brand HP 02-compatible refillable cartridges and refilling instructions of same). On information and belief, Shenzhen Print and others import those accused products into the United States for sale, sell those accused products for importation, and/or sell those accused products after importation.

8.22 The following instances are representative examples of specific instances of unfair importation and sale.

8.23 On information and belief, a company called Comptree Inc. has advertised Shenzhen Print’s accused products for sale and sold them after importation into the United States. On information and belief, Comptree maintains various websites that sell its products, including www.meritline.com, www.merax.com, and abcink.com. *See Exhibit 39* (showing that each of these websites share identical contact information). Printouts from these websites offering the accused products for sale are also attached as **Exhibit 39**.

8.24 On February 27, 2009, HP purchased Shenzhen Print brand cartridges from the abcink.com website. On March 3, 2009, HP received a full set of infringing HP 02-compatible Shenzhen Print cartridges, plus refill inks, in its Vancouver, Washington office. A photograph of the Shenzhen Print products HP received through that order is attached as **Exhibit 16**.

8.25 On August 5, 2009, HP’s counsel purchased a 6-pack HP 02 Compatible Refillable Inkjet Cartridges Combo, which included Shenzhen Print infringing cartridges, from

the www.meritline.com website. On or around August 7, 2009, the infringing cartridges and Merax Premium Inkjet Refill Kit were received in HP counsel's Washington, D.C. office. Attached are printouts of the order status, invoice, and photographs of the relevant labels, packaging materials, and products from Comptree reflecting the purchase of Shenzhen Print's ink supply in the United States. *See Exhibit 40.*

8.26 On information and belief, Shenzhen Print's accused products are made in China. The Merax Premium Inkjet Refill Kit that arrived with the infringing ink cartridges is marked with the words "Made In China." *See Exhibit 41.*

8.27 A representative infringing Shenzhen Print cartridge infringes one or more of the claims of the patents-in-suit as demonstrated in the claim charts attached as **Exhibit 19.**

D. Zhuhai National Resources and Tatrix

8.28 On information and belief, Zhuhai National and Tatrix International sell infringing cartridges manufactured by the same source. Based on physical observations, the Zhuhai National InkTank cartridges (both standard and high capacity) that were shipped to HP and HP's counsel are identical in all significant respects to the Tatrix PerfectCLR ink cartridges, including identical contact points, case covers, and serial number engraving on the side of each cartridge. On information and belief, Zhuhai National Resources manufactures infringing ink cartridges in China. On information and belief, Zhuhai National sells its cartridges under the brand name "Ink Tank." *See Exhibit 42.* On information and belief, Tatrix purchases or otherwise obtains infringing ink cartridges from Zhuhai National Resources and sells its products under the "PerfectCLR" and generic brand names. *See Exhibit 43.* On information and belief, Zhuhai National, Tatrix, and others import these accused products into the United States for sale, sell those accused products for importation, and/or sell those accused products after importation.

8.29 The following instances are representative examples of specific instances of unfair importation and sale.

8.30 On information and belief, www.usaintank.com has advertised Zhuhai National's accused products for sale and sold them after importation into the United States. A printout from the www.usaintank.com website offering the accused products for sale is attached as **Exhibit 44**. On April 2, 2009, HP purchased sample Zhuhai National cartridges on the www.usaintank.com website. On or about April 9, 2009, HP received a full set of infringing HP 02-compatible InkTank cartridges in its Vancouver, Washington office. A photograph of the Zhuhai National products HP received through that order is attached as **Exhibit 16**.

8.31 On information and belief, www.amazon.com has advertised Tatrix's accused products for sale and sold them after importation into the United States. On information and belief, Tatrix PerfectCLR cartridges are sold on amazon.com and ebay.com via Inkitup4less.com storefront. On February 27, 2009, HP purchased Tatrix PerfectCLR cartridges on the www.ebay.com website. On or around March 5, 2009, HP received a full set of infringing HP 02-compatible PerfectCLR cartridges in its Vancouver, Washington office. A photograph of the Tatrix products HP received through that order is attached as **Exhibit 16**.

8.32 On August 6, 2009, a representative of HP placed an order on www.amazon.com and received on August 18, 2009, in Washington, D.C., six InkTank cartridges. Printouts of the order summary, invoice, and photographs of the relevant labels, packaging materials, and products from www.amazon.com reflecting the purchase of Zhuhai National's ink supply in the United States are attached as **Exhibit 45**.

8.33 On August 6, 2009, a representative of HP purchased Zhuhai National's InkTanks on www.usaintank.com and received on or around August 12, 2009, in Washington, D.C., six

InkTank cartridges. Printouts of the order summary, receipt, and photographs of the relevant labels, packaging materials, and products from www.usainktank.com reflecting the purchase of Zhuhai National's ink supply in the United States are attached as **Exhibit 46**.

8.34 On August 12, 2009, a representative of HP placed an order on www.amazon.com and received on or around August 17, 2009, in Washington, D.C., InkTank or PerfectCLR branded cartridges. The infringing cartridges arrived without packaging. Printouts of the order summary, invoice, packing slip, and photographs of the relevant labels, packaging materials, and products from www.amazon.com reflecting the purchase of Zhuhai National or Tatrix's ink supply in the United States are attached as **Exhibit 47**.

8.35 On August 18, 2009, a representative of HP purchased additional PerfectCLR brand cartridges on the www.amazon.com website, and on or around August 21, 2009, in Washington, D.C., received those cartridges. Printouts of the order summary, invoice, and photographs of the relevant labels, packaging materials, and products from www.amazon.com reflecting the purchase of Tatrix's ink supply in the United States are attached as **Exhibit 48**.

8.36 On August 28, 2009, a representative of HP purchased HP 02-compatible ink cartridges on www.ink4ever.com, and on September 2, 2009, in Washington, D.C., received two infringing InkTank or PerfectCLR ink cartridges (black and cyan). Printouts of the order confirmation and shipping information, as well as photographs of the relevant labels, packaging materials, and products from www.ink4ever.com reflecting the purchase of Zhuhai National or Tatrix's ink supply in the United States are attached as **Exhibit 49**.

8.37 On information and belief, Zhuhai National's infringing "InkTank" products are made in China. Although no country of origin is marked on the box, each ink cartridge box is marked with the phrase: "Manufactured by ISO 9001 Certified Plant" and "Manufactured by ISO

14001 Certified Plant.” Zhuhai National’s profile on www.alibaba.com, indicates that Zhuhai National’s only manufacturing plant is based in Zhuhai, Guangdong Province China. *See Exhibit 50* (<http://power.en.alibaba.com/aboutus.html>). The site further states that Zhuhai National’s products “are manufactured according to ISO 9001 standards strictly” and that its factory in Zhuhai is “ISO 9000/9001/9004/19011: 2000” and “ISO 14000/14001” certified, indicating that the accused products were manufactured in Zhuhai National’s Zhuhai-based production facility. *See id.* Zhuhai National’s profile does not indicate that it has manufacturing facilities anywhere else, including within the United States.

8.38 On information and belief, Tatrix purchases or otherwise obtains its infringing “PerfectCLR” products from Zhuhai National and thus, its accused products are made in China. *See* ¶ 8.37. Moreover, the words “Cartridge assembled in China” appear on the PerfectCLR box in which the cartridges were packaged. *See Exhibit 51.*

8.39 A search performed on the Piers database shows regular shipments of inkjet cartridges and printer consumables from Zhuhai National and Tatrix in China to companies within the United States, including Ink It Up Four Less in Mulberry, Florida. *See Exhibit 33.*

8.40 Representative infringing InkTank/PerfectCLR cartridges infringe one or more of the claims of the patents-in-suit as demonstrated in the claim charts attached as **Exhibits 20 and 21.**

E. Ourway

8.41 On information and belief, Ourway manufactures infringing ink cartridges in China that are sold under the brand name “StarInk” or “DigitalSt@r.” *See Exhibit 52.* Ourway’s product list on its website includes infringing HP 02-compatible ink cartridges. *See Exhibit 53.* On information and belief, Ourway sells for importation, imports, and/or sells after importation into the United States infringing ink cartridges. On information and belief, Ourway

and others then import those products into the United States for sale, sell them for importation into the United States, and/or sell them after they have been imported into the United States. On information and belief, www.inkplustoner.com, has advertised Ourway's accused products for sale and sold them after importation into the United States.

8.42 The following instances are representative examples of specific instances of unfair importation and sale.

8.43 On information and belief, www.inkplustoner.com offers for sale in the United States infringing DigitalSt@r ink cartridges. On February 27, 2009, HP purchased HP 02-compatible ink cartridges from the www.inkplustoner.com website. On or around March 3, 2009, HP received two DigitalSt@r ink cartridges (light cyan and light magenta) in its Vancouver, Washington office. A printout of the post-order placement, invoice, and a confirmation email of the purchase are attached as **Exhibit 54**.

8.44 On information and belief, the accused products are made in China. The words "Cartridge made in China" appear on the box in which the cartridges were packaged. *See Exhibit 55*.

8.45 A representative infringing DigitalSt@r cartridge infringes one or more of the claims of the patents-in-suit, as demonstrated in the claim charts attached as **Exhibit 22**.

8.46 Proposed respondents' accused products are believed to fall within at least the following classification of the Harmonized Tariff Schedules of the United States: HTSUS No. 8443.99.2510. This classification is intended for illustration only and is not intended to be restrictive of the scope or type of accused products.

IX. LICENSEES

9.1 HP has licensed Hewlett-Packard Development Company, L.P. to practice any of the asserted HP Patents and to license the patents to third parties. *See Exhibit 4.*

X. DOMESTIC INDUSTRY

A. Technical Prong

10.1 As required by section 337 (a)(2) and defined by section 337(a)(3), an industry in the United States exists in connection with articles protected by the '985 and '630 Patents. HP's ink supply products that are covered by the '985 and '630 Patents include at least the following exemplary inkjet ink supplies from the "HP 02" product line: (i) the C8721WN, C8730WN, C8731WN, C8732WN, C8771WN, C8772WN, C8773WN, C8774WN, and C8775WN single cartridges; (ii) the C8719W, C8730W, C8731W, C8732W, C8733W, and C8734W high capacity cartridges;⁶ and (iii) the C9500FN, CC604FN, CD996FN, CD997FN, CD998FN, Q7964AN, CG813AN, CD999BN, and CD978BN combo, twin and photo value packs. Claim charts applying representative claims of the asserted patents to the HP 02 Lt. Cyan Ink Print Cartridge (C8774W) and the HP 02XL High Yield Black Ink Cartridge (C8719W) are attached as **Exhibits 56-57**. In particular:

Exhibit 56 contains claim charts comparing claim 1 of the '985 patent to the HP C8774W and C8719W;

Exhibit 57 contains claim charts comparing claims 26 and 35 of the '630 patent to the HP C8774W and C8719W;

10.2 Photographs of the representative HP ink supply product are attached to the Complaint as **Exhibit 58**. **Physical Exhibits L and M** are samples of HP 02 black and colored ink cartridges that are covered by the '985 and '630 Patents.

⁶ The C8719W, C8733W, and C8734W cartridges are not sold individually in retail, but are available in the multi-packs listed in (iii).

B. Economic Prong

10.3 HP conducts significant domestic industry activities in the United States relating to its domestic industry products. Because HP's HP 02 ink cartridges are covered by at least one claim of the asserted patents, the following investment information, which relates to the HP 02 product line and shows the existence of a domestic industry, applies to the asserted patents.

10.4 HP's domestic industry activities include HP's significant investment in plant and equipment, significant employment of labor and capital, and substantial investment in the exploitation of the '985 and '630 Patents. Although HP does not presently manufacture its ink cartridges in the United States, HP has conducted and continues to conduct many activities in the United States relating to its ink supply cartridges that practice the '985 and '630 Patents, including activities with respect to the design and development, manufacturing administration and control, sourcing, packaging, distribution, warranty and returns, and sales and marketing activities relating to the domestic industry products. HP has made and/or continues to make significant U.S. investments in the facilities, labor, equipment and/or capital to support these activities, as well as significant investments in the exploitation of the asserted patents.

Confidential Exhibit 59.

10.5 During the period from fiscal year 2001 to 2005, HP conducted significant design and development activities related to products that practice all the patents-in-suit. *See*

Confidential Exhibit 59.

XI. RELATED LITIGATION

11.1 On September 23, 2009, HP filed a complaint against proposed respondents in the U.S. District Court for the Central District of California relating to the '985 and '630 Patents. *Hewlett-Packard Co. v. Zhuhai Gree Magneto-Electric Co., Ltd., et al.*, CV 09-06929 ODW. That case was voluntarily dismissed on March 18, 2010.

11.2 On September 23, 2009, HP filed a complaint in the International Trade Commission against proposed respondents relating to the '985 and '630 patents, as well as two additional patents. *Certain Inkjet Ink Supplies and Components thereof*, 337-TA-691. On June 1, 2010, HP moved to terminate the Investigation with respect to U.S. Patent Nos. 6,959,985 and 7,104,630, which was granted by the Administrative Law Judge on June 3, 2010.

11.3 On information and belief, other than the aforementioned actions, there has been no other foreign or domestic court or agency litigation involving the '985 and '630 patents.

XII. REQUESTED RELIEF

12.1 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, 19 U.S.C. § 1337, into the unlawful importation into the United States the sale for importation, and/or sale within the United States after importation by the proposed respondents and others of inkjet ink supplies and components thereof that infringe one or more claims of United States Patent Nos. '985 and '630 Patents;

(b) Determine that there has been a violation of Section 337;

(c) Issue a permanent general exclusion order, pursuant to Section 337(d) of the Tariff Act of 1930, as amended, excluding from entry into the United States all inkjet ink supplies and components thereof that infringe one or more claims of United States Patent Nos. '985 and '630 Patents;

(d) In the alternative, issue a permanent limited exclusion order, pursuant to Section 337(d) of the Tariff Act of 1930, as amended, excluding from entry into the United States all inkjet ink supplies and components thereof that are manufactured, imported, or sold by

or on behalf of the proposed respondents, their affiliates, subsidiaries, successors, or assigns, and components thereof, that infringe one or more claims of United States Patent Nos. '985 and '630 Patents;

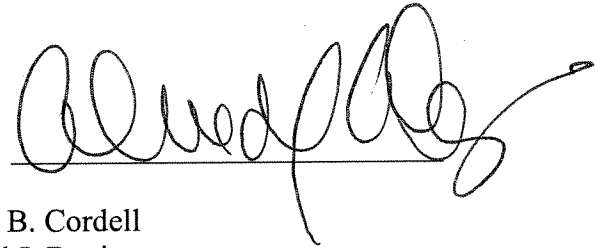
(e) Issue permanent cease and desist orders, pursuant to Section 337(f) of the Tariff Act of 1930, as amended, directing each proposed respondent, its affiliates, subsidiaries, successors, or assigns, from marketing, demonstrating, distributing, offering for sale, selling, or otherwise transferring, including the movement or shipment of inventory, in the United States, or transferring outside the United States for sale in the United States all inkjet ink supplies and components thereof that infringe one or more claims of United States Patent Nos. '985 and '630 Patents; and

(e) Issue such further relief as the Commission deems just and proper based on the facts determined by the Investigation and the authority of the Commission.

Respectfully submitted,
FISH & RICHARDSON P.C.

Dated: June 25, 2010

By:

A handwritten signature in black ink, appearing to read 'Ruffin B. Cordell', written over a horizontal line.

Ruffin B. Cordell
Ahmed J. Davis
Jeffrey R. Whieldon
Cherylyn Esoy Mizzo

FISH & RICHARDSON P.C.
1425 K Street, N.W., 11th Floor
Washington, D.C. 20005
Telephone: (202) 783-5070
Facsimile: (202) 783-2331

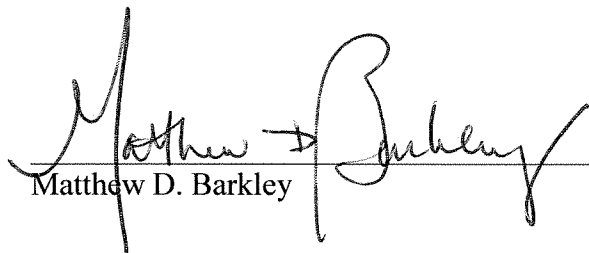
*Counsel for Hewlett-Packard Company
and Hewlett-Packard Development
Company*

VERIFICATION

I, Matthew D. Barkley, declare, in accordance with 19 C.F.R. §§ 210.4 and 210.12(a), under penalty of perjury, that the following statements are true:

1. I, Matthew D. Barkley, am the Manager of Intellectual Property and Brand Protection Programs for Hewlett-Packard Company, and am duly authorized to sign this Complaint on behalf of Hewlett-Packard Company;
2. I have read the foregoing Complaint;
3. To the best of my knowledge, information, and belief, based upon reasonable inquiry, the foregoing Complaint is well-founded in fact and is warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law;
4. The allegations or other factual contentions have either evidentiary support or are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery, and;
5. The foregoing Complaint is not being filed for any improper purpose, such as to harass or cause unnecessary delay or needless increase in the cost of litigation.

Executed this 25th day of May, 2010.


Matthew D. Barkley

VERIFICATION

I, Kevin Light, declare, in accordance with 19 C.F.R. §§ 210.4 and 210.12(a), under penalty of perjury, that the following statements are true:

1. I am a Manager for HPQ Holdings, LLC, the General Partner for Hewlett-Packard Development Company, L.P;
2. I have read the foregoing Complaint;
3. To the best of my knowledge, information, and belief, based upon reasonable inquiry, the foregoing Complaint is well-founded in fact and is warranted by existing law or by a nonfrivolous argument for the extension, modification, or reversal of existing law or the establishment of new law;
4. The allegations or other factual contentions have either evidentiary support or are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery, and;
5. The foregoing Complaint is not being filed for any improper purpose, such as to harass or cause unnecessary delay or needless increase in the cost of litigation.

Executed this 23^d day of June, 2010.

Hewlett-Packard Development Company, L.P.
By: HPQ Holdings, LLC, its General Partner

By: Kevin P. Light
Kevin P. Light, Manager
HPQ Holdings, LLC