

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

**In the Matter of**

**CERTAIN TONER CARTRIDGES AND  
COMPONENTS THEREOF**

**Inv. No. 337-TA-731**

**NOTICE OF INVESTIGATION**

AGENCY: U.S. International Trade Commission

ACTION: Institution of investigation pursuant to 19 U.S.C. § 1337

SUMMARY: Notice is hereby given that a complaint was filed with the U.S. International Trade Commission on June 28, 2010, under section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, on behalf of Canon Inc., of Japan; Canon U.S.A., Inc. of Lake Success, New York; and Canon Virginia, Inc. of Newport News, Virginia. A letter supplementing the complaint was filed on July 15, 2010. The complaint alleges violations of section 337 based upon the importation into the United States, the sale for importation, and the sale within the United States after importation of certain toner cartridges and components thereof by reason of infringement of certain claims of U.S. Patent No. 5,903,803 (“the ‘803 patent”) and U.S. Patent No. 6,128,454 (“the ‘454 patent”). The complaint further alleges that an industry in the United States exists as required by subsection (a)(2) of section 337.

The complainants request that the Commission institute an investigation and, after the investigation, issue an exclusion order and cease and desist orders.

ADDRESSES: The complaint, except for any confidential information contained therein, is available for inspection during official business hours (8:45 a.m. to 5:15 p.m.) in the Office of the Secretary, U.S. International Trade Commission, 500 E Street, S.W., Room 112, Washington, D.C. 20436, telephone 202-205-2000. Hearing impaired individuals are advised that information on this matter can be obtained by contacting the Commission’s TDD terminal on 202-205-1810. Persons with mobility impairments who will need special assistance in gaining access to the Commission should contact the Office of the Secretary at 202-205-2000. General information concerning the Commission may also be obtained by accessing its internet server at <http://www.usitc.gov>. The public record for this investigation may be viewed on the Commission's electronic docket (EDIS) at <http://edis.usitc.gov>.

FOR FURTHER INFORMATION CONTACT: Benjamin Levi, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, telephone (202) 205-2781.

AUTHORITY: The authority for institution of this investigation is contained in section 337 of the Tariff Act of 1930, as amended, and in section 210.10 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.10 (2010).

SCOPE OF INVESTIGATION: Having considered the complaint, the U.S. International Trade Commission, on July 26, 2010, ORDERED THAT –

(1) Pursuant to subsection (b) of section 337 of the Tariff Act of 1930, as amended, an investigation be instituted to determine whether there is a violation of subsection (a)(1)(B) of section 337 in the importation into the United States, the sale for importation, or the sale within the United States after importation of certain toner cartridges or components thereof that infringe one or more of claims 128-130, 132, 133, and 139-143 of the '803 patent; and claims 24-30 of the '454 patent, and whether an industry in the United States exists as required by subsection (a)(2) of section 337;

(2) For the purpose of the investigation so instituted, the following are hereby named as parties upon which this notice of investigation shall be served:

(a) The complainants are:

Canon Inc.  
30-2, Shimomaruko 3-chome  
Ohta-ku, Tokyo 146-8501  
Japan

Canon U.S.A., Inc.  
One Canon Plaza  
Lake Success, NY 11042

Canon Virginia, Inc.  
12000 Canon Boulevard  
Newport News, VA 23606

(b) The respondents are the following entities alleged to be in violation of section 337, and are the parties upon which the complaint is to be served:

Ninestar Image Int'l, Ltd.  
No. 63, Mingzhubei Road  
Zhuhai  
China 519075

Ninestar Technology Co., Ltd.  
No. 63, Mingzhubei Road  
Zhuhai  
China 519075

Ninestar Management Co., Ltd.  
No. 63, Mingzhubei Road  
Zhuhai  
China 519075

Zhuhai Seine Technology Co., Ltd.  
No. 63, Mingzhubei Road  
Zhuhai  
China 519075

Seine Image Int'l Co., Ltd.  
9/F Unit 18, New Commerce Centre  
No. 9 On Lai Str., Shatin  
Hong Kong

Ninestar Image Co., Ltd.  
9/F Unit 18, New Commerce Centre  
No. 9 On Lai Str., Shatin  
Hong Kong

Ziprint Image Corp.  
19805 Harrison Avenue  
Walnut, CA 91789

Nano Pacific Corp.  
377 Swift Avenue  
South San Francisco, CA 94080

Ninestar Tech. Co., Ltd.  
17950 East Ajax Circle  
City of Industry, CA 91748

Town Sky, Inc.  
5 S. Linden Avenue, Suite 4  
South San Francisco, CA 94080

ACM Technologies, Inc.  
2535 Research Drive  
Corona, CA 92882

LD Products, Inc.  
2500 Grand Avenue  
Long Beach, CA 90815

Printer Essentials.com, Inc.  
5190 Neil Road, Ste. 205  
Reno, NV 89502

XSE Group, Inc.  
d/b/a Image Star  
35 Philmack Drive  
Middletown, CT 06457

Copy Technologies, Inc.  
d/b/a ITM Corporation  
130 James Aldredge Blvd. S.W.  
Atlanta, GA 30336

Red Powers, Inc.  
d/b/a LaptopTraveller.com  
120 West Grand Avenue #205  
Alhambra, CA 91801

Direct Billing International, Inc.  
d/b/a OfficeSupplyOutfitters.com  
5910 Sea Lion Place, Suite 100  
Carlsbad, CA 92010

Compu-Imaging, Inc.  
8880 N.W. 18<sup>th</sup> Terrace  
Doral, FL 33172

EIS Office Solutions, Inc.  
5803 Sovereign Drive, Suite 214  
Houston, TX 77036

123 Refills, Inc.  
4981 Irwindale Avenue, Suite 200  
Irwindale, CA 91706

(c) The Commission investigative attorney, party to this investigation, is Benjamin Levi, Esq., Office of Unfair Import Investigations, U.S. International Trade Commission, 500 E Street, S.W., Suite 401, Washington, D.C. 20436; and (3) For the investigation so instituted, the Honorable Paul J. Luckern, Chief Administrative Law Judge, U.S. International Trade Commission, shall designate the presiding Administrative Law Judge.

Responses to the complaint and the notice of investigation must be submitted by the named respondents in accordance with section 210.13 of the Commission's Rules of Practice and Procedure, 19 C.F.R. § 210.13. Pursuant to 19 C.F.R. §§ 201.16(d)-(e) and 210.13(a), such responses will be considered by the Commission if received not later than 20 days after the date of service by the Commission of the complaint and the notice of investigation. Extensions of time for submitting responses to the complaint and the notice of investigation will not be granted unless good cause therefor is shown.

Failure of a respondent to file a timely response to each allegation in the complaint and in this notice may be deemed to constitute a waiver of the right to appear and contest the allegations of the complaint and this notice, and to authorize the administrative law judge and the Commission, without further notice to the respondent, to find the facts to be as alleged in the complaint and this notice and to enter an initial determination and a final determination containing such findings, and may result in the issuance of an exclusion order or a cease and desist order or both directed against the respondent.

By order of the Commission.

/s/  
Marilyn R. Abbott  
Secretary to the Commission

Issued: July 26, 2010