

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO.: 1:22-cv-24264

UI TECHNOLOGIES, INC., and
UI DIGITAL, INC.,

Plaintiffs,

v.

RICOMA INTERNATIONAL CORP.,
WENRUI “HENRY” MA,
MIGUEL ANDONI CIARRETA, and
GUOFENG “FRANK” MA,

Defendants.

COMPLAINT

Plaintiffs, UI Technologies, Inc. and UI Digital, Inc. (collectively, “UI”), sue Defendants Ricoma International Corp. (“Ricoma”), Wenrui “Henry” Ma (“Wenrui”), Guofeng “Frank” Ma (“Guofeng”), and Miguel Andoni Ciarreta (“Ciarreta”) and state:

NATURE OF THE ACTION AND PARTIES

1. This is an action for patent infringement concerning four Issued Patents arising under the patent laws of the United States, 35 U.S.C. § 1 *et seq.*, trademark infringement and false designation of origin under the Lanham Act, 15 U.S.C. §§ 1114 and 1125, *et. seq.*, and deceptive and unfair trade practices and unfair competition under Florida law.

2. UI is currently maintaining an action in this District against most of these Defendants in *UI Technologies, Inc., et. al. v. Ricoma International Corp., et. al.*, Case No. 1:22-CV-21631-DPG for, among other things, infringement of six of UI’s patents that were issued

before that case was filed and for breach of a contract between the parties (“Currently-Pending Lawsuit”).

3. This action asserts patent and trademark infringement and related claims against all of the Defendants in the Currently-Pending Lawsuit as well as Guofeng “Frank” Ma based primarily on their infringement of patents and trademarks related to the same technology that were issued after the Currently-Pending Lawsuit was filed.¹

4. UI Technologies, Inc., a Nevada corporation with its principal place of business in New York, owns the patents and trademarks asserted in this case.

5. UI Digital, Inc., a Delaware corporation also with its principal place of business in New York, manufactures, distributes, and sells digital color printers, toner cartridges, and related products throughout the United States and the world.

6. UI Technologies, Inc. and UI Digital, Inc. are two of several companies comprising a larger parent company called Uninet Group. For ease of reference, they are referred to collectively herein as “UI.”

7. Defendant Ricoma, a Florida corporation located in Medley, Florida, is in the business of selling Chinese-made embroidery machines and accessories. Ricoma is also a former reseller of UI’s printers.

8. Defendants Wenrui, a Florida resident, and Defendant Guofeng, who is also believed to be a Florida resident, own and control Ricoma. Wenrui, who is Ricoma’s current CEO, is the son of Guofeng, who is Ricoma’s former CEO, current President, and owner of ninety (90%) percent of the shares of Ricoma.

¹ A couple of the patents asserted here were issued before the Currently-Pending Lawsuit, but their application to Defendants’ infringing activities was more fully developed through that Lawsuit and hence are being asserted here for the first time.

9. Defendant Ciarreta, a Florida resident, is Ricoma's Vice President of Operations.

JURISDICTION AND VENUE

10. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1338, and 1367.

11. This Court has personal jurisdiction over Defendants, all of whom either reside or do business in Florida and are deliberately selling products that infringe UI's patents and trademarks from, within, and to customers in Florida.

12. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391(b) and 1400(b) because a substantial part of the events giving rise to UI's claims occurred in this District, and Defendants do business and have committed countless acts of patent and trademark infringement in and from this District.

FACTS²

A. UI's Patented and Trademarked Technology

13. UI owns 16 Issued U.S. Patents and two federally Registered Trademarks related generally to converting standard color printers into white toner transfer printers, which are instrumental for use in the apparel industry, particularly for printing images onto clear film media that can then be heat transferred onto clothing to create bright graphics.

14. Among the many products UI sells is its flagship "iColor Series" branded digital white transfer media printers.

15. Use of white toner in the heat transfer printing process brightens the appearance of other colors, allowing images to stand out when affixed to various surfaces and articles of clothing.

² Many of the following facts were adduced at or in connection with a 2-day evidentiary Preliminary Injunction Hearing held on September 6-7, 2022 before Chief U.S. Magistrate Judge Edwin G. Torres in the Currently-Pending Lawsuit.

Through use of UI's patented technology, white toner can be printed onto the media first, underneath the colored toner (UNDERPRINT® printing) or last, over the colored toners (OVERPRINT® printing).

16. UI obtains its iColor Series printers from Ricoh USA, Inc. ("Ricoh"). Ricoh's printers are standard color printers that come equipped with "standard" cyan, magenta, yellow, and black toner cartridges, referred to in the industry as CMYK printers. Toner cartridges that contain toner that is white, clear, fluorescent, metallic (silver or gold), or sublimation are examples of "non-standard" toner colors.

17. With Ricoh's permission, UI, using its patented technology, converts these standard color printers into "white toner transfer printers," or CMYW printers.³ The conversion process involves, among other things, swapping toner cartridges, including, for example, interchanging the black toner cartridge (K), with white (W), and using RIP software to instruct the toner cartridges to print from their non-native positions.⁴

18. RIP software, or a "raster image processor," is software used to convert, or "rasterize," images to digitally map them from screen pixels to print media. RIP software existed prior to UI's patents, but it was used only to process colors and improve resolution. The inventors of UI's printer conversion technology, Michael R. Josiah and Joseph Dovi, devised a method of using RIP software to "remap" the colors into different printer positions, which then allowed for both UNDERPRINT® printing and OVERPRINT® printing with one machine.

³ A CMYX printer means the use of any non-standard color toner in place of the black toner cartridge.

⁴ The printer can also be used in "standard" CMYK mode by using the black toner cartridge instead of the white.

B. UI's Patents and Trademarks

19. Of UI's 16 issued U.S. Patents, six are asserted in the Currently-Pending Lawsuit: 9,835,968, 9,835,981, 9,835,982, 10,310,446, 10,649,372, and 10,459,670.⁵

20. UI is also the owner of U.S. Patent No. 11,442,402 (the "'402 Patent"), entitled "Method and system for converting a toner cartridge printer," which issued on September 13, 2022. A true and correct copy of the '402 Patent is attached hereto as **Exhibit 1**.

21. UI is also the owner of U.S. Patent No. 11,526,122 (the "'122 Patent"), entitled "Method and system for converting a toner cartridge printer," which issued on December 13, 2022. A true and correct copy of the '122 Patent is attached hereto as **Exhibit 2**.

22. UI is also the owner of U.S. Patent No. 10,324,395 (the "'395 Patent"), entitled "Toner Cartridge Printer Devices, Systems, and Methods for Under Printing," which issued on June 18, 2019. A true and correct copy of the '395 Patent is attached hereto as **Exhibit 3**.

23. UI is also the owner of U.S. Patent No. 10,216,117 (the "'117 Patent"), entitled "Toner Cartridge Printer System and Device That Over Prints and Under Prints," which issued on February 26, 2019. A true and correct copy of the '117 Patent is attached hereto as **Exhibit 4**. Collectively, these four patents are referred to herein as the "Asserted Patents."

24. UI is also the owner of U.S. Trademark Registration No. 6,908,746 (the "'746 Registration") for OVERPRINT® in International Class 009 for, generally, printers, which issued on November 22, 2022 (the "OVERPRINT® Mark"). A true and correct copy of the '746 Registration is attached hereto as **Exhibit 5**.

⁵ Lucid Dream Software, Inc. is the owner of the '670 Patent, which, pursuant to a Software License Agreement dated November 16, 2020, transferred to UI all substantial rights in the Patent.

25. UI is also the owner of U.S. Trademark Registration No. 6,908,748 (the “748 Registration”) for UNDERPRINT® in International Class 009 for, generally, printers, which issued on November 22, 2022 (the “UNDERPRINT® Mark”). A true and correct copy of the ‘748 Registration is attached hereto as **Exhibit 6**.

26. The Asserted Patents and Trademarks, all of which are valid and enforceable, broadly cover the technology associated with converting standard color printers into white toner transfer printers using cartridge swapping and RIP Software remapping technology.

C. UI’s Training, Specifications, and Know-How

27. UI sells its printers primarily through written agreements with approximately 86 resellers worldwide.

28. UI has an extensive training program through which it provides its resellers, in confidence, with its technical specifications and know-how.

29. UI has an extensive library of training videos, Power Point presentations, and other written materials that it shares with its resellers, all of whom contractually agree to maintain the documents and knowledge imparted upon them in confidence.

30. Within its training materials, UI specifically informs its resellers of its registered patents. *See, e.g.*, PowerPoint Slide attached hereto as **Exhibit 7**.

D. Defendants Seek to Become an Authorized Reseller

31. In or about April 2020, Defendants, who previously sold Chinese embroidery equipment, approached UI, purportedly about becoming an authorized reseller for UI’s iColor Series digital transfer printers.

32. None of the Defendants had any experience in the printer or toner cartridge business but were interested in expanding their embroidery-related product line.

33. Following an initial phone call, Joseph Dovi, one of the inventors of the subject printer conversion technology, sent Wenrui and Ciarreta a lengthy introductory email that included, among other things, links to specific pages of UI's website, links to videos from UI's extensive library, and pricing information concerning the iColor Series printers.

34. Mr. Dovi had an initial phone call with Weinru and Ciarreta, and in an April 2020 follow-up email, a true and correct copy of which is attached hereto as **Exhibit 8**, he sent them a direct link to all of his then-issued patents with the statement: "My patents in case you have an interest."

35. Mr. Dovi also introduced Defendants to UI's ProRIP software, which, along with SmartCUT, a software associated with the '670 Patent, is integrated into its iColor transfer printers.

36. On May 11, 2020, the parties executed a Uninet iColor Authorized Reseller Agreement, pursuant to which Defendants agreed to sell UI's iColor 550 Series transfer printer and related accessories, including replacement toner cartridges.

37. UI then trained Defendants' employees and furnished extensive technical specifications and know-how, including specific knowledge of the contents of UI's Patent Portfolio.

E. Defendants' Knockoff "Luminaris 200" Printer

38. In November 2020, Defendants discovered that, rather than fostering and growing the relationship, they could make more money by competing directly with UI.

39. Defendants purchased look-alike knockoff printers, converted them into white toner transfer printers using UI's patented technology, instructed employees to copy UI's

marketing materials, and directed its foreign software developer to “mimic” UI’s printer software and all its functionality.

40. Defendants, of course, did not inform UI of their plans to produce and distribute a knockoff of UI’s white toner transfer printer. To the contrary, in February 2021, at the same time as Defendants were working with their software developer and others to produce their competing printer, they informed UI of their plans to “ramp up with marketing” and that they were coordinating with their marketing team to “launch” the iColor 560 Series (the next generation in UI’s printer series).

41. In April 2021, contrary to their stated intentions to “ramp up” and “launch” the iColor 560, Defendants unilaterally terminated the Reseller Agreement.

42. By the next month, Defendants’ clone “Luminaris 200” (the “Infringing Luminaris 200”), produced quickly due to no need for any research or development because they merely copied the iColor printer, was on the market in head-to-head competition with UI.

43. Defendants’ Infringing Luminaris 200, like the iColor 560, is a standard CMYK color printer converted to a CMYW white toner transfer printer.

44. Like UI, Defendants procured Ricoh-made printers so that the printers would be virtually identical in appearance, both exterior and interior.

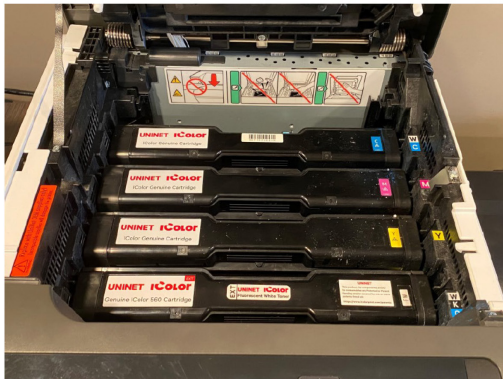
45. The Infringing Luminaris 200 comes with a Quick Start Guide, which replicates nearly verbatim the graphics, diagrams, charts, and text from the iColor 560 User Manual, including reproductions of UI’s OVERPRINT® and UNDERPRINT® Marks.

46. Defendants’ printers are sold with its “LuminRIP” software. The print queues in LuminRIP, which include “overprint,” “underprint” and standard “CMYK,” are identical to that of UI’s ProRIP.

47. A side-by-side comparison of the printer hardware and associated software of the two products, attached in full hereto as **Exhibit 9**, appears in part as follows:

UNINET

ricoma



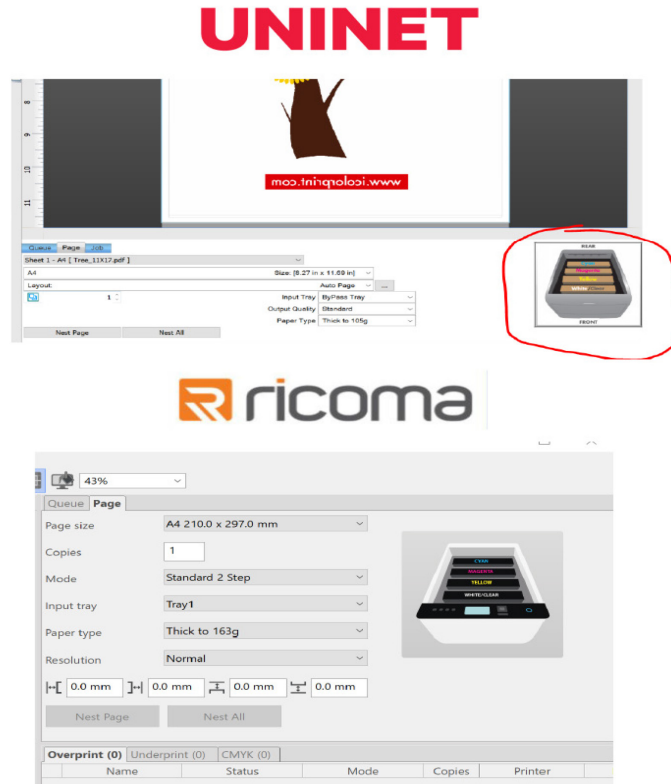
Print Queue's

UNINET

UNINET iColor 560 v2 Overprint | UNINET iColor 560 v2 Underprint | UNINET iColor 560 v2 CMYK

ricoma

Overprint (0)		Underprint (0)		CMYK (0)	
Name	Status	Mode	Copies	Printer	



48. The appearance and functionality of Ricoma’s LumniRIP is identical to that of UI’s ProRIP. According to the Testimony of Joe Dovi, who is one of the inventors of UI’s 16 patents, referenced above, Defendants copied UI’s iColor Series 560’s hardware and software – “They copied our software....There is no question in my mind. It is 100 percent copied beginning to end.”

49. Whereas UI invested 18 months in research and development on its iColor Series 550 printer, Defendants conducted “zero R&D” according to the Testimony of Wenrui.

50. In sum, Defendants’ Infringing Luminaris 200 white transfer printer replicates in every material manner UI’s iColor 560 printer.

F. Preliminary Injunction Hearing and Defendants’ Increased Infringement Activities

51. As mentioned above, on September 6-7, 2022, in the Currently-Pending Lawsuit, Chief U.S. Magistrate Judge Edwin G. Torres conducted a 2-day evidentiary hearing on UI’s

Motion for Preliminary Injunction based on Defendants' infringement of the UI Patents that were asserted in that case.

52. While the parties awaited the Court's ruling on that Motion, Defendants substantially ramped up their promotional and marketing efforts for the Infringing Luminaris 200, seemingly disregarding the judicial process. Examples of Defendants' promotional and advertising materials, post-dating the September 6-7, 2022 Preliminary Injunction Hearing are attached hereto as **Composite Exhibit 10**.

G. Willful Nature of Defendants' Infringement

53. Defendants were repeatedly notified of UI's patents, verbally as well as in emails and training materials. *See* Exhibits 7 and 8.

54. Defendants blatantly ignored UI's intellectual property rights and their acts of patent and trademark infringement have been malicious, fraudulent, deliberate, willful, intentional, and in bad faith, with full knowledge and conscious disregard of UI's intellectual property rights.

55. In view of the egregious nature of Defendants' actions, this is an exceptional case within the meaning of 35 U.S.C. § 285 of the Patent Act and 15 U.S.C. § 1117(a) of the Lanham Trademark Act.

H. Individual Defendants' Personal Liability for Patent and Trademark Infringement

56. Defendants Wenrui, Guofeng, and Ciarreta (the "Individual Defendants") are the past and present controlling forces behind the sale of the infringing Luminaris 200 printer and they directed, controlled, ratified, participated in, and were the active moving forces behind the activities complained of herein.

57. The Individual Defendants are all corporate officers: Defendant Wenrui is Ricoma's current CEO and owner of ten (10%) percent of the shares, Defendant Guofeng is

Ricoma's former CEO, current President, and owner of ninety (90%) percent of the shares, and Defendant Ciarreta is Ricoma's Vice President of Operations.

58. The Individual Defendants schemed to dupe UI into believing they were "ramp[ing] up with marketing" and that they were coordinating with their marketing team to "launch" the iColor 560 Series.

59. The Individual Defendants personally participated in making, using, offering to sell, selling, and importing the Infringing Luminaris 200.

60. The Individual Defendants also instructed, directed, encouraged, and induced Ricoma's employees to make, use, offer to sell, and sell the infringing Luminaris 200 printer by incorporating into the Luminaris 200 every aspect of UI's iColor 550 Series printer, which itself incorporates the technology disclosed in the Asserted Patents.

61. The Individual Defendants further instructed, directed, encouraged, and induced their software developer, Active Graphics, to make LumniRIP, a component of their infringing Luminaris Printer, by "mimic[king]" all aspects of UI's ProRIP software, which is incorporated into UI's iColor 550 Series printer and is a substantial part of the inventions embodied by the Asserted Patents.

Claim For Relief I
Direct Patent Infringement - U.S. Patent No. 11,442,402

62. UI realleges paragraphs 1-61 as though fully set forth herein.

63. Defendants have made, used, offered to sell, sold, and imported into the United States the Infringing Luminaris 200, a printer that embodies the systems and employs the methods disclosed by the '402 Patent.

64. As a result, Defendants are directly infringing at least Independent Claims 1 and 7 of the '402 Patent under 35 U.S.C. § 271(a).

65. In addition, by using their Infringing Luminaris 200, Defendants are performing the methods covered by, and therefore directly infringing, at least Independent Claims 1 and 7 of the '402 Patent.

66. As a result of Defendants' direct infringement of the '402 Patent, UI has been damaged, and has also sustained irreparable harm for which there is no adequate remedy at law.

Claim For Relief II
Inducement to Commit Patent Infringement - U.S. Patent No. 11,442,402

67. UI realleges paragraphs 1-61 as though fully set forth herein.

68. By making, using, offering to sell, selling, and importing the Infringing Luminaris 200, a printer that embodies the systems and employs the methods disclosed by the '402 Patent, Defendants are encouraging and inducing consumers to perform the methods covered by at least Independent Claims 1 and 7 of the '402 Patent.

69. As a result, Defendants are inducing infringement of the '402 Patent under 35 U.S.C. § 271(b).

70. As a result of Defendants' inducements to infringe the '402 Patent, UI has been damaged, and has also sustained irreparable harm for which there is no adequate remedy at law.

Claim For Relief III
Contributory Patent Infringement - U.S. Patent No. 11,442,402

71. UI realleges paragraphs 1-61 as though fully set forth herein.

72. Defendants have made, used, offered to sell, sold, and imported into the United States the Infringing Luminaris 200, a printer that embodies the systems and employs the methods disclosed by the '402 Patent.

73. To make their Infringing Luminaris 200, Defendants especially adapted a Ricoh standard color printer, including, without limitation, by installing RIP software to perform toner

cartridge remapping, removing blocking tabs to enable cartridge swapping, and labeling the printer to perform the method disclosed by the '402 Patent.

74. Defendants, therefore, have offered to sell and have sold within the United States, or imported into the United States, a component of a patented machine, manufacture, combination or composition, or a material or apparatus for use in practicing a patented process, constituting a material part of the invention, knowing same to be especially made or especially adapted for use in an infringement of such patent, and not a staple article or commodity of commerce suitable for substantial noninfringing uses.

75. As a result, Defendants have engaged in contributory infringement of the '402 Patent under 35 U.S.C. § 271(c).

76. As a result of Defendants' contributory infringement of the '402 Patent, UI has been damaged, and has also sustained irreparable harm for which there is no adequate remedy at law.

Claim For Relief IV
Direct Patent Infringement - U.S. Patent No. 11,526,122

77. UI realleges paragraphs 1-61 as though fully set forth herein.

78. Defendants have made, used, offered to sell, sold, and imported into the United States the Infringing Luminaris 200, a printer that embodies the systems and employs the methods disclosed by the '122 Patent.

79. As a result, Defendants are directly infringing at least Independent Claim 1 of the '122 Patent under 35 U.S.C. § 271(a).

80. In addition, by using their Infringing Luminaris 200, Defendants are performing the methods covered by, and therefore directly infringing, at least Independent Claim 1 of the '122 Patent.

81. As a result of Defendants' direct infringement of the '122 Patent, UI has been damaged, and has also sustained irreparable harm for which there is no adequate remedy at law.

Claim For Relief V
Inducement to Commit Patent Infringement - U.S. Patent No. 11,526,122

82. UI realleges paragraphs 1-61 as though fully set forth herein.

83. By making, using, offering to sell, selling, and importing the Infringing Luminaris 200, a printer that embodies the systems and employs the methods disclosed by the '122 Patent, Defendants are encouraging and inducing consumers to perform the methods covered by at least Independent Claim 1 of the '122 Patent.

84. As a result, Defendants are inducing infringement of the '122 Patent under 35 U.S.C. § 271(b).

85. As a result of Defendants' inducements to infringe the '122 Patent, UI has been damaged, and has also sustained irreparable harm for which there is no adequate remedy at law.

Claim For Relief VI
Contributory Patent Infringement - U.S. Patent No. 11,526,122

86. UI realleges paragraphs 1-61 as though fully set forth herein.

87. Defendants have made, used, offered to sell, sold, and imported into the United States the Infringing Luminaris 200, a printer that embodies the systems and employs the methods disclosed by the '122 Patent.

88. To make their Infringing Luminaris 200, Defendants especially adapted a Ricoh standard color printer, including, without limitation, by installing RIP software to perform toner cartridge remapping, removing blocking tabs to enable cartridge swapping, and labeling the printer to perform the method disclosed by the '122 Patent.

89. Defendants, therefore, have offered to sell and have sold within the United States, or imported into the United States, a component of a patented machine, manufacture, combination or composition, or a material or apparatus for use in practicing a patented process, constituting a material part of the invention, knowing same to be especially made or especially adapted for use in an infringement of such patent, and not a staple article or commodity of commerce suitable for substantial noninfringing uses.

90. As a result, Defendants have engaged in contributory infringement of the '122 Patent under 35 U.S.C. § 271(c).

91. As a result of Defendants' contributory infringement of the '122 Patent, UI has been damaged, and has also sustained irreparable harm for which there is no adequate remedy at law.

Claim For Relief VII
Direct Patent Infringement - U.S. Patent No. 10,324,395

92. UI realleges paragraphs 1-61 as though fully set forth herein.

93. Defendants have made, used, offered to sell, sold, and imported into the United States the Infringing Luminaris 200, a printer that embodies the systems and employs the methods disclosed by the '395 Patent.

94. As a result, Defendants are directly infringing at least Independent Claim 3 of the '395 Patent under 35 U.S.C. § 271(a).

95. In addition, by using their Infringing Luminaris 200, Defendants are performing the methods covered by, and therefore directly infringing, at least Independent Claim 3 of the '395 Patent.

96. As a result of Defendants' direct infringement of the '395 Patent, UI has been damaged, and has also sustained irreparable harm for which there is no adequate remedy at law.

Claim For Relief VIII
Inducement to Commit Patent Infringement - U.S. Patent No. 10,324,395

97. UI realleges paragraphs 1-61 as though fully set forth herein.

98. By making, using, offering to sell, selling, and importing the Infringing Luminaris 200, a printer that embodies the systems and employs the methods disclosed by the '395 Patent, Defendants are encouraging and inducing consumers to perform the methods covered by at least Independent Claim 3 of the '395 Patent.

99. As a result, Defendants are inducing infringement of the '395 Patent under 35 U.S.C. § 271(b).

100. As a result of Defendants' inducements to infringe the '395 Patent, UI has been damaged, and has also sustained irreparable harm for which there is no adequate remedy at law.

Claim For Relief IX
Contributory Patent Infringement - U.S. Patent No. 10,324,395

101. UI realleges paragraphs 1-61 as though fully set forth herein.

102. Defendants have made, used, offered to sell, sold, and imported into the United States the Infringing Luminaris 200, a printer that embodies the systems and employs the methods disclosed by the '395 Patent.

103. To make their Infringing Luminaris 200, Defendants especially adapted a Ricoh standard color printer, including, without limitation, by installing RIP software to perform toner cartridge remapping, removing blocking tabs to enable cartridge swapping, and labeling the printer to perform the method disclosed by the '395 Patent.

104. Defendants, therefore, have offered to sell and have sold within the United States, or imported into the United States, a component of a patented machine, manufacture, combination or composition, or a material or apparatus for use in practicing a patented process, constituting a

material part of the invention, knowing same to be especially made or especially adapted for use in an infringement of such patent, and not a staple article or commodity of commerce suitable for substantial noninfringing uses.

105. As a result, Defendants have engaged in contributory infringement of the '395 Patent under 35 U.S.C. § 271(c).

106. As a result of Defendants' contributory infringement of the '395 Patent, UI has been damaged, and has also sustained irreparable harm for which there is no adequate remedy at law.

Claim For Relief X
Direct Patent Infringement - U.S. Patent No. 10,216,117

107. UI realleges paragraphs 1-61 as though fully set forth herein.

108. Defendants have made, used, offered to sell, sold, and imported into the United States the Infringing Luminaris 200, a printer that embodies the system and device disclosed by the '117 Patent.

109. As a result, Defendants are directly infringing at least Independent Claim 1 of the '117 Patent under 35 U.S.C. § 271(a).

110. As a result of Defendants' direct infringement of the '117 Patent, UI has been damaged, and has also sustained irreparable harm for which there is no adequate remedy at law.

Claim For Relief XI
Contributory Patent Infringement - U.S. Patent No. 10,216,117

111. UI realleges paragraphs 1-61 as though fully set forth herein.

112. Defendants have made, used, offered to sell, sold, and imported into the United States the Infringing Luminaris 200, a printer that embodies the system and device disclosed by the '117 Patent.

113. To make their Infringing Luminaris 200, Defendants especially adapted a Ricoh standard color printer, including, without limitation, by installing RIP software to perform toner cartridge remapping, removing blocking tabs to enable cartridge swapping, and labeling the printer to perform the method for which the system and device disclosed by the ‘117 Patent is used.

114. Defendants, therefore, have offered to sell and have sold within the United States, or imported into the United States, a component of a patented machine, manufacture, combination or composition, or a material or apparatus for use in practicing a patented process, constituting a material part of the invention, knowing same to be especially made or especially adapted for use in an infringement of such patent, and not a staple article or commodity of commerce suitable for substantial noninfringing uses.

115. As a result, Defendants have engaged in contributory infringement of the ‘117 Patent under 35 U.S.C. § 271(c).

116. As a result of Defendants’ contributory infringement of the ‘117 Patent, UI has been damaged, and has also sustained irreparable harm for which there is no adequate remedy at law.

Claim For Relief XII
Federal Trademark Infringement – OVERPRINT® Mark – ‘746 Registration

117. UI realleges paragraphs 1-61 as though fully set forth herein.

118. Defendants, pursuant to 15 U.S.C. § 1114(1)(a), have used and still continue to use in commerce a reproduction, counterfeit, copy, or colorable imitation of UI’s OVERPRINT® Mark in connection with the sale, offering for sale, distribution, or advertising of goods on or in connection with such use is likely to cause confusion, or to cause mistake, or to deceive.

119. Defendants, pursuant to 15 U.S.C. § 1114(1)(b), reproduced, counterfeited, copied, or have colorably imitated UI’s OVERPRINT® Mark and have applied such reproductions,

counterfeits, copies, or colorable imitations to labels, signs, prints, packages, wrappers, receptacles, or advertisements intended to be used in commerce upon or in connection with the sale, offering for sale, distribution, or advertising of goods or services on or in connection with which such use is likely to cause confusion, or to cause mistake, or to deceive.

120. The acts of Defendants complained of herein constitute infringement of the '746 Registration for OVERPRINT® in violation of Section 32 of the Lanham Act, 15 U.S.C. § 1114.

Claim For Relief XIII
False Designation of Origin – OVERPRINT® Mark

121. UI realleges paragraphs 1-61 as though fully set forth herein.

122. Defendants, pursuant to 15 U.S.C. § 1125(a)(1)(A), on or in connection with goods, or containers of goods, used, and continue to use, in commerce words, terms, names, symbols, or devices, or combinations thereof, of false designations of origin, false or misleading descriptions of fact, or false or misleading representations of fact, which was likely to cause confusion, or to cause mistake, or to deceive as to the affiliation, connection, or association of Defendants with UI, or as to the origin, sponsorship, or approval of their goods or commercial activities by UI.

123. Defendants, pursuant to 15 U.S.C. § 1125(a)(1)(B), on or in connection with goods, or containers of goods, used, and continue to use, in commerce words, terms, names, symbols, or devices, or combinations thereof, of false designations of origin, false or misleading descriptions of fact, or false or misleading representations of fact, which in commercial advertising or promotion, misrepresents the nature, characteristics, qualities, or geographic origin of their goods or commercial activities.

124. The acts of Defendants complained of herein constitute false designations of origin,

false or misleading descriptions or representations of fact and unfair competition in the use of UI's OVERPRINT® Mark violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

Claim For Relief XIV
Unfair Competition under Florida Law – OVERPRINT® Mark

125. UI realleges paragraphs 1-61 as though fully set forth herein.

126. The acts of Defendants complained of herein constitute trademark infringement and unfair competition in the use of UI's OVERPRINT® Mark in violation of Fla. Stat. § 495.161 and the common law of the State of Florida.

Claim For Relief XV
Federal Trademark Infringement – UNDERPRINT® Mark – '748 Registration

127. UI realleges paragraphs 1-61 as though fully set forth herein.

128. Defendants, pursuant to 15 U.S.C. § 1114(1)(a), have used and still continue to use in commerce a reproduction, counterfeit, copy, or colorable imitation of UI's UNDERPRINT® Mark in connection with the sale, offering for sale, distribution, or advertising of goods on or in connection with such use is likely to cause confusion, or to cause mistake, or to deceive.

129. Defendants, pursuant to 15 U.S.C. § 1114(1)(b), reproduced, counterfeited, copied, or colorably imitated UI's UNDERPRINT® Mark and applied such reproductions, counterfeits, copies, or colorable imitations to labels, signs, prints, packages, wrappers, receptacles, or advertisements intended to be used in commerce upon or in connection with the sale, offering for sale, distribution, or advertising of goods or services on or in connection with which such use is likely to cause confusion, or to cause mistake, or to deceive.

130. The acts of Defendants complained of herein constitute infringement of the '748 Registration for UNDERPRINT® in violation of Section 32 of the Lanham Act, 15 U.S.C. § 1114.

Claim For Relief XVI
False Designation of Origin – UNDERPRINT® Mark

131. UI realleges paragraphs 1-61 as though fully set forth herein.

132. Defendants, pursuant to 15 U.S.C. § 1125(a)(1)(A), on or in connection with goods, or containers of goods, used, and continue to use, in commerce words, terms, names, symbols, or devices, or combinations thereof, of false designations of origin, false or misleading descriptions of fact, or false or misleading representations of fact, which was likely to cause confusion, or to cause mistake, or to deceive as to the affiliation, connection, or association of Defendants with UI, or as to the origin, sponsorship, or approval of their goods or commercial activities by UI.

133. Defendants, pursuant to 15 U.S.C. § 1125(a)(1)(B), on or in connection with goods, or containers of goods, used, and continue to use, in commerce words, terms, names, symbols, or devices, or combinations thereof, of false designations of origin, false or misleading descriptions of fact, or false or misleading representations of fact, which in commercial advertising or promotion, misrepresents the nature, characteristics, qualities, or geographic origin of their goods or commercial activities.

134. The acts of Defendants complained of herein constitute false designations of origin, false or misleading descriptions or representations of fact and unfair competition in the use of UI's UNDERPRINT® Mark in violation of Section 43(a) of the Lanham Act, 15 U.S.C. § 1125(a).

Claim For Relief XVII
Unfair Competition under Florida Law – UNDERPRINT® Mark

135. UI realleges paragraphs 1-61 as though fully set forth herein.

136. The acts of Defendants complained of herein constitute trademark infringement and unfair competition in the use of UI's UNDERPRINT® Mark in violation of Fla. Stat. § 495.161 and the common law of the State of Florida.

PRAYER FOR RELIEF

WHEREFORE, as to all claims in this Complaint, UI demands the following:

- (a) Judgment that Defendants have infringed the '402, '122, '395, and '117 Patents in violation of 35 U.S.C. §§ 271 (a), (b), and (c), as well as other applicable law, and that such infringement was willful;
- (b) A temporary, preliminary, and permanent injunction under 35 U.S.C. § 283 against further infringement of the Asserted Patents by Defendants, their officers, agents, servants, employees, and attorneys, and all others in active concert or participation with any of them;
- (c) An order pursuant to the Court's inherent authority seizing all Infringing Luminaris 200 printers in Defendants' custody, possession, or control, including all advertising and other materials used in furtherance of Defendants' infringements, whether in hard copy or electronic form, for destruction at Defendants' expense;
- (d) An award of damages adequate to compensate UI for the infringements of its patents pursuant to 35 U.S.C. § 284, but in no event less than a reasonable royalty for the use made of the inventions by Defendants, together with interest and costs;
- (e) An award of increased damages up to three times the amount of damages found or assessed in accordance with 35 U.S.C. § 284;
- (f) An order directing Defendants to notify all purchasers of the Infringing Luminaris 200 that it infringes the Asserted Patents and must be returned for destruction at Defendants' expense;
- (g) Judgment that Defendants have infringed the '746 and '748 Registrations for OVERPRINT® and UNDERPRINT® pursuant to 15 U.S.C. § 1114, falsely designated the origin of their Infringing Luminaris 200 pursuant to 15 U.S.C. § 1125(a), and unfairly competed with UI pursuant to Fla. Stat. § 495.161;
- (h) a temporary, preliminary, and permanent injunction under 15 U.S.C. § 1116, Fla. Stat. § 495.141, and Florida law prohibiting and restraining Defendants, Defendants' agents, servants, employees, attorneys, related companies, and all those persons in active concert or participation with them, from infringing the OVERPRINT® and UNDERPRINT® Marks, including using any element thereof, and any other mark or designation confusingly similar thereto;
- (i) an Order requiring Defendants to file with this Court and to serve upon UI, within thirty (30) days after the entry and service on Defendants of an injunction, a report in writing and under oath setting forth in detail the manner and form in which Defendants have complied with the injunction;

- (j) an award of compensatory damages and special damages as a result of Defendants' infringement, false designations of origin, false or misleading descriptions or representations of fact, and unfair competition, and that said damages be trebled;
- (k) disgorgement of Defendants' profits plus actual damages to UI and costs, increased by an amount equal to three times such damages because of Defendants' willful violations under 15 U.S.C. § 1117(a) and (b) and Fla. Stat. § 495.141;
- (l) an award of attorneys' fees, costs, and pre- and post-judgment interest under 35 U.S.C. § 285, 15 U.S.C. § 1117, and Fla. Stat. § 495.141, and as otherwise permitted under the law;
- (m) an award of costs and prejudgment and post-judgment interest; and
- (n) such other and further relief as this Honorable Court deems just and proper.

Jury Demand

Under Fed. R. Civ. P. 38(b), UI demands a trial by jury on all issues triable of right by a jury.

Dated: December 30, 2022

Respectfully submitted,

By: /s/ Matthew S. Nelles
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