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8 Attorney for Plaintiff PLANET GREEN  
9 CARTRIDGES, INC.

10 UNITED STATES DISTRICT COURT  
11 FOR THE CENTRAL DISTRICT OF CALIFORNIA

CASE No.: 2:23-cv-06647-JFW-KS

13 PLANET GREEN CARTRIDGES,  
14 INC., a California corporation,

15 Plaintiff,

17 v.

18 AMAZON.COM, INC., a Delaware  
19 corporation; AMAZON.COM  
20 SERVICES LLC, a Delaware limited  
21 liability company; AMAZON  
22 ADVERTISING LLC, a Delaware  
23 limited liability company; and DOES 1-  
24 10, inclusive,

25 Defendants.

13 ) **FIRST AMENDED COMPLAINT**  
14 ) **FOR DAMAGES:**

- 15 ) **1. Violation of the Lanham Act, 15**  
16 ) **U.S.C. § 1125(a)(1)(B) – False**  
17 ) **Advertising;**  
18 ) **2. Violation of the Lanham Act, 15**  
19 ) **U.S.C. § 1125(a)(1)(A) -- False**  
20 ) **Association & False Designation of**  
21 ) **Origin or Approval;**  
22 ) **3. Common Law Unfair**  
23 ) **Competition;**  
24 ) **4. Unfair Competition in Violation of**  
25 ) **California Unfair Competition Law –**  
26 ) **Unlawful and Unfair Prongs (Cal.**  
27 ) **Bus. & Prof. Code § 17200, et seq.);**  
28 ) **5. Violation of California False**  
**Advertising Law (Cal. Bus. & Prof.**  
**Code § 17500, et seq.)**  
**6. Negligence**

**DEMAND FOR JURY TRIAL**

1 COMES NOW Plaintiff, PLANET GREEN CARTRIDGES, INC.  
2 (“Plaintiff” or “Planet Green”), with knowledge of its own actions and events, and  
3 upon information and belief as to other matters, and alleges as follows against  
4 Defendants AMAZON.COM, INC., AMAZON.COM SERVICES LLC,  
5 AMAZON ADVERTISING LLC and DOES 1-25, inclusive (collectively,  
6 “Defendants”):

7 **I.**  
8 **INTRODUCTION**

9 1. This action arises out of Defendants’ persistent violation of their own  
10 policies, federal and state laws, and stated environmental objectives, by the false  
11 claims of new built clone cartridges as being remanufactured and sold as recycled  
12 product on a mass scale. The products, almost all of which are made in China, are  
13 not original equipment manufacturer (“OEM”), but are new built clone printer ink  
14 cartridges, falsely listed and labeled as remanufactured and sold as recycled  
15 product, including on their packaging and through recycled symbols on the  
16 products themselves, deceiving millions of Amazon’s customers in California and  
17 throughout the United States.

18 2. Plaintiff presented Defendants with uncontroverted evidence outlining  
19 numerous brands of printer ink cartridges Plaintiff purchased on Amazon as test  
20 purchases, which demonstrated that Defendants were falsely advertising, making  
21 unsubstantiated environmental claims, and importing, distributing and selling clone  
22 cartridges falsely represented as remanufactured, in violation of Amazon’s  
23 policies, federal and state laws, and engaging in conduct antithetical to Amazon’s  
24 environmental mission and efforts. Defendants’ response to Plaintiff’s evidence  
25 was essentially that they are immune from liability for publishing third-party  
26 content on their platform under the Communications Decency Act, 47 U.S.C.  
27 section 230. But, as set forth further below, this contention is just wrong.  
28



1 industry leader of wholesale, high-quality, United States remanufactured ink  
2 cartridge products. Planet Green remanufactures ink cartridges using only OEM  
3 cores that are collected from schools, businesses, and consumers throughout the  
4 United States. The remanufactured ink cartridges sold by Planet Green are  
5 authentic recycled products.

6 6. Defendant AMAZON.COM, INC. is a corporation organized and  
7 existing under the laws of the State of Delaware, with its principal place of  
8 business at 410 Terry Avenue North, Seattle, Washington 98109-5210.  
9 AMAZON.COM, INC. markets and sells products to retail consumers all over the  
10 world through internet websites such as www.amazon.com, using various  
11 trademarks and brand names, including “Amazon.”

12 7. Defendant AMAZON.COM SERVICES LLC is a limited liability  
13 company organized and existing under the laws of the State of Delaware, with its  
14 principal place of business at 410 Terry Avenue North, Seattle, Washington 98109-  
15 5210. AMAZON.COM SERVICES LLC sells products to consumers through  
16 Amazon Warehouse that are fulfilled by Amazon.com. Plaintiff is informed and  
17 believes that AMAZON.COM SERVICES LLC is a subsidiary of Defendant  
18 AMAZON.COM, INC. Defendants AMAZON.COM, INC. and AMAZON.COM  
19 SERVICES LLC are sometimes collectively referred to herein as “Amazon.”

20 8. Defendant AMAZON ADVERTISING LLC is a limited liability  
21 company organized and existing under the laws of the State of Delaware, with its  
22 principal place of business at 410 Terry Avenue North, Seattle, Washington 98109-  
23 5210. AMAZON ADVERTISING LLC provides advertising services to third party  
24 sellers. Plaintiff is informed and believes that AMAZON ADVERTISING LLC is  
25 a subsidiary of Defendant AMAZON.COM, INC. Defendants AMAZON.COM,  
26 INC., AMAZON.COM SERVICES LLC and AMAZON ADVERTISING LLC are  
27 sometimes collectively referred to herein as “Amazon.”

28 9. The true names and capacities of Defendants sued herein as DOES 1-

1 25, inclusive, are unknown to Plaintiff. Plaintiff therefore sues these Defendants by  
2 such fictitious names. Plaintiff will amend this complaint to allege the true names  
3 and capacities of said DOE Defendants when ascertained. Each of these fictitiously  
4 named Defendants are responsible in some manner for the acts and conduct alleged  
5 herein and such Defendants proximately caused Plaintiff harm as alleged herein.

6 **III.**

7 **JURISDICTION AND VENUE**

8 10. This court has original jurisdiction over the subject matter of this  
9 matter under 15 U.S.C. section 1121 and 28 U.S.C. sections 1331 and 1338,  
10 because it is a civil action involving claims arising under the laws of the United  
11 States, including the Lanham Act, 15 U.S.C. section 1051 *et seq.*, and the court has  
12 supplemental jurisdiction over Plaintiff's state law claims under 28 U.S.C. sections  
13 1338(b) and 1367(a), in that they form part of the same case or controversy that  
14 gives rise to Plaintiff's claims under the laws of the United States.

15 11. This court also has original jurisdiction over the subject matter of this  
16 action pursuant to 28 U.S.C. section 1332 because the amount in controversy  
17 exceeds \$75,000.00 and the parties are diverse in citizenship.

18 12. Venue is proper in this court pursuant to 28 U.S.C. section 1391(b)  
19 because a substantial part of the events or omissions giving rise to the claims at  
20 issue occurred in this judicial district and division, and because Defendants are  
21 subject to the court's personal jurisdiction with respect to this action.

22 13. The court has personal jurisdiction over each of Defendants because  
23 the causes of action asserted herein arise from Defendants transacting business in  
24 the State of California, contracting to supply and actually supplying services or  
25 things in the State of California and causing tortious injury in the State of  
26 California by virtue of their acts and omissions.

27 14. This court has personal jurisdiction over Defendants because they (a)  
28 have sold numerous products in the State of California and this district; (b) have  
caused tortious injury within the State of California and this district; (c) have

1 practiced the unlawful conduct complained of herein, in part within the State of  
2 California and this district; (d) have regularly conducted and solicited business  
3 within the State of California and this district; (e) have regularly and systematically  
4 directed electronic activity into the State of California and this district with the  
5 intent to engage in business within the State of California and this district,  
6 including the sale and/or offer for sale to internet users within the State of  
7 California and this district; and (f) have entered into contracts with residents of the  
8 State of California and this district for the sale of goods.

9 **IV.**

10 **FACTUAL ALLEGATIONS**

11 15. Since 1999, Planet Green has remanufactured ink cartridges in a state-  
12 of-the-art facility utilizing a painstaking process consisting of obtaining used OEM  
13 cartridge cores, thoroughly inspecting, cleaning, refilling the cartridges with new  
14 ink, testing for quality control, and packaging for resale. The United States once  
15 was the epicenter of thousands of printer cartridge remanufacturers, suppliers, and  
16 resellers. Due to the conduct of Defendants as the primary advertiser and  
17 distributor and a major seller of inauthentic clone ink cartridges that are falsely  
18 represented as remanufactured and/or recyclable in promotions, packaging,  
19 labeling, and on the products themselves, as alleged herein, the United States  
20 printer cartridge remanufacturing industry has been eviscerated.

21 16. Planet Green is one of the sole survivors in the industry. Indeed, by  
22 this time, Plaintiff is one of the only remaining printer ink cartridge remanufacturer  
23 in the United States and produces the overwhelming majority of remanufactured  
24 printer ink cartridges remanufactured and sold at retail, including over Amazon.  
25 Consumers who purchase remanufactured printer ink cartridges over Amazon's  
26 websites rightly understand that they come from the lawful source of such  
27 cartridges and, whether they know the name of the company or not, that nearly  
28 always means Planet Green. To the extent that others sell clone cartridges over

1 Amazon that are misrepresented as recycled or remanufactured, they are falsely  
2 representing to consumers that they sell a product that consumers associate with  
3 the lawful source of remanufactured printer ink cartridges, *i.e.*, Planet Green.

4 17.. Prior to the filing of this action, Plaintiff put Amazon on notice of the  
5 wrongful conduct alleged in this Complaint. On June 23, 2022, Plaintiff provided a  
6 presentation of evidence to Amazon detailing how 18 brands and their numerous  
7 listings of aftermarket ink cartridges label new built single-use clone ink cartridges  
8 as “remanufactured,” which are sold as a recycled product on their platform  
9 (sometimes referred to herein as “the illicit ink cartridges”). Plaintiff demonstrated  
10 that the same sellers are falsely advertising their listings, products, and packaging.  
11 Plaintiff also pointed out that the same sellers are misusing Amazon’s own defined  
12 terms “remanufactured” and “compatible” for different types of printer cartridges  
13 by using them interchangeably, which is deceptive. Plaintiff offered Amazon an  
14 opportunity to do the right thing and stop the sale of falsely labelled clone printer  
15 cartridges that are deceiving consumers, harming the environment, and that have  
16 destroyed the once thriving printer cartridge remanufacturing industry. The  
17 original notice and presentation are attached hereto as **Exhibit 1**.

18 18. Over the course of five (5) months, Amazon failed to act on any of the  
19 18 brands of illicit clone ink cartridges as they continued to be available for  
20 purchase on Amazon’s website. During this time, Plaintiff continued to purchase  
21 more ink cartridges that were falsely sold as remanufactured ink cartridges from  
22 Amazon. On December 9, 2022, Plaintiff sent a second presentation of evidence to  
23 Amazon, identifying a total of 82 brands of remanufactured ink cartridges that  
24 were purchased by Plaintiff. This presentation illustrates that Amazon has a  
25 category-wide issue with falsely labeled cartridges, promoted with unsubstantiated  
26 environmental claims, in violation of Amazon’s listing policies, which deceive  
27 consumers. In addition, Plaintiff separately hand delivered its presentation of  
28 evidence on November 24, 2022, to Amazon’s Chief Executive Officer Andy

1 Jassy, through a mutual contact, informing him of the unlawful actions that were  
2 taking place on Amazon’s platform. The second presentation of evidence is  
3 attached hereto as **Exhibit 2**.

4 19. Amazon acknowledged receiving the second presentation of evidence  
5 asking for Plaintiff’s test buy results to confirm the factual allegations, a baffling  
6 response considering that Plaintiff’s presentations contained the test buy results.  
7 Amazon took the positions that the Amazon Seller Code of Conduct prohibits  
8 sellers from making false statements about products and that Amazon is not  
9 responsible for seller statements and is immune from liability for publishing third-  
10 party content on its platform under Section 230 of the Communications Decency  
11 Act, 47 U.S.C. § 230. These positions completely ignore the fact that Plaintiff  
12 notified Amazon of illicit clone ink cartridges and that the entire category of  
13 remanufactured printer cartridges is overrun by sellers who unlawfully  
14 misrepresent their products. In response, Amazon has provided nothing more than  
15 lip service, claiming, without action, that Amazon will enforce its rules and  
16 investigate.

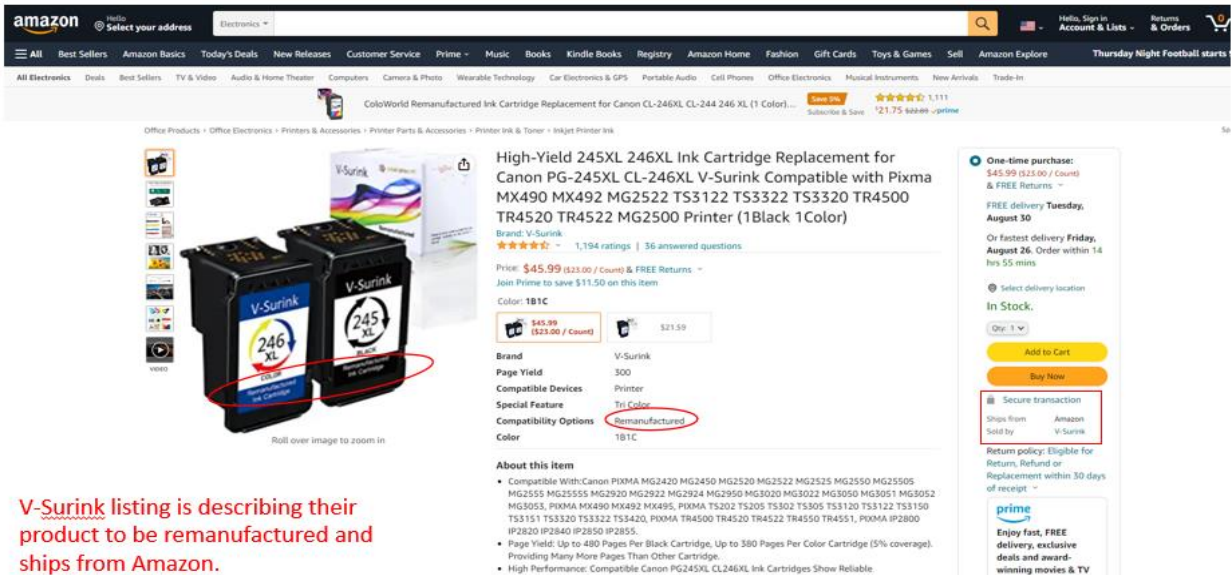
17 20. The reason for the tremendous loss of an entire United States printer  
18 cartridge remanufacturing industry and Plaintiff’s damages, is due to Amazon’s  
19 direct participation in the unlawful practices detailed in this Complaint, which  
20 effectively prevent legitimate businesses from competing against the  
21 overwhelming proliferation of clone printer cartridges flooding the market through  
22 their website, fulfillment centers and warehouse program. Sellers are allowed to  
23 list multiple products claiming to be remanufactured OEM cartridges, frequently  
24 bearing the “recyclable” symbol in their listings, packaging and on the products  
25 themselves, when in fact they are newly manufactured clone cartridges, not OEM  
26 product, and not in fact a recycled or recyclable product.

27 21. The following are some examples that were shared with Amazon,  
28 which illustrate how illicit brands and their sellers are defrauding consumers:



1) Examples of new built clone ink cartridges falsely labeled as remanufactured and sold as a recycled product and ships from Amazon:

a. Amazon listing for V-Surink.

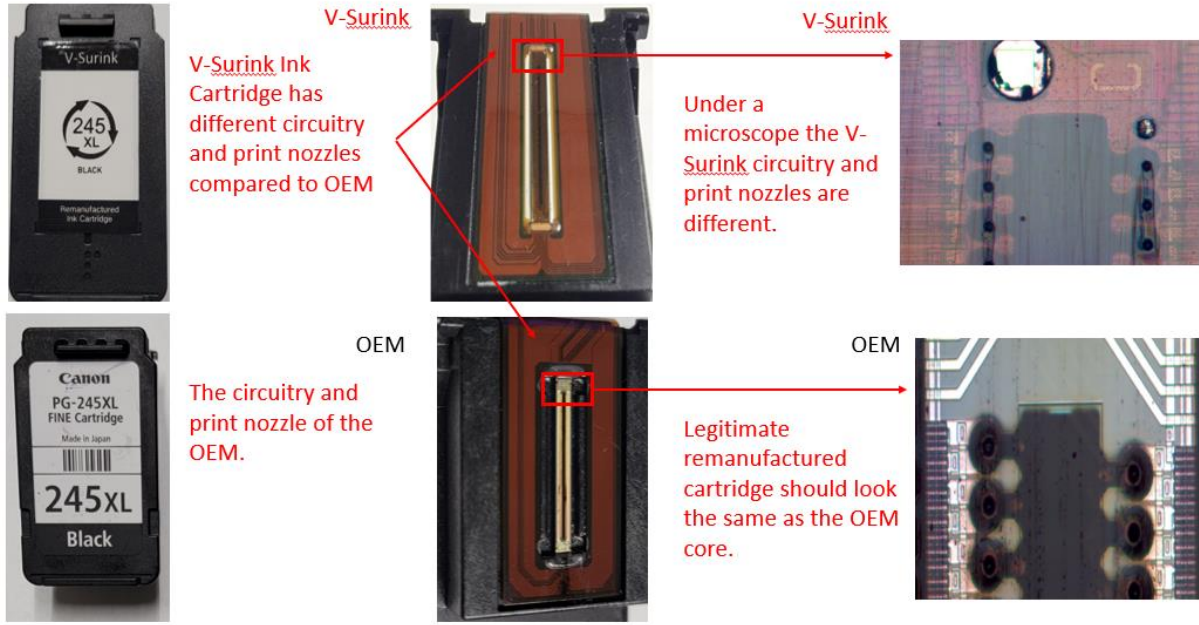


**V-Surink is claiming on their product and packaging to be a remanufactured product.**

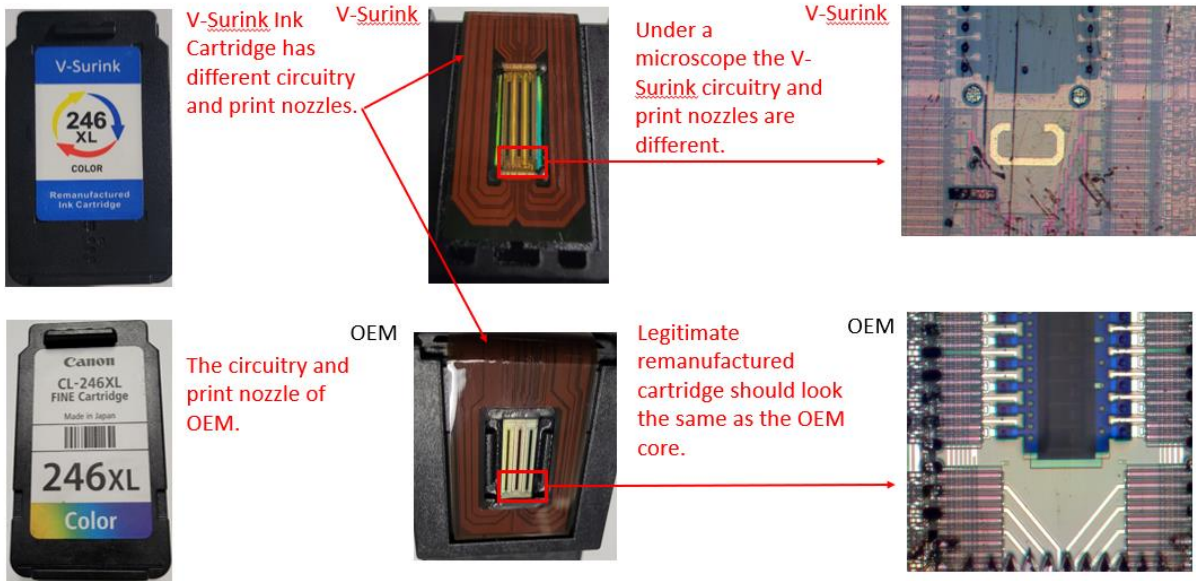
b. Ink cartridges, Plaintiff purchased on Amazon and fulfilled by Amazon.

c. Below is a side-by-side comparison of Canon cartridges and V-Surink ink cartridges. The example shows the differences between OEM cores and counterfeit remanufactured ink cartridges.

Under Microscope V-Surink Cartridge Side-By-Side Comparison with OEM Cartridge Core



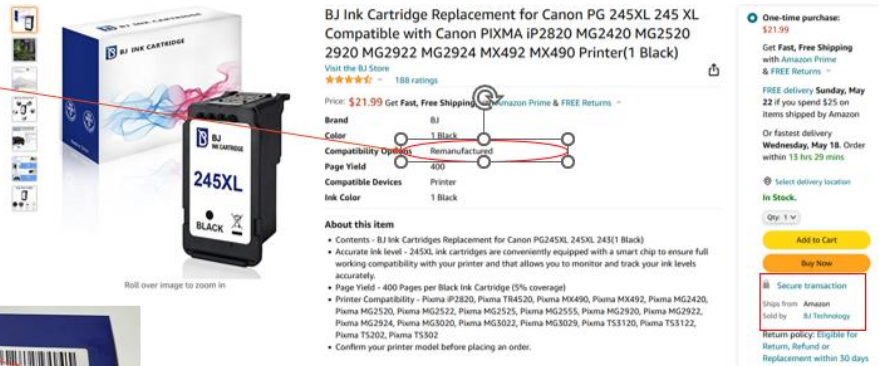
Under Microscope V-Surink New Built Clone Cartridge Side-By-Side Comparison with OEM Cartridge Core



d. Another example of a counterfeit remanufactured ink cartridge purchased from Amazon with side-by-side comparison with an OEM cartridge;

1  
2 **BJ Ink Cartridge listing**  
3 **describing their product as**  
4 **remanufactured and ships**  
5 **from Amazon**

6 **BJ Ink Cartridge product and**  
7 **packaging purchased on Amazon**  
8 **claiming the cartridge is**  
9 **remanufactured.**



10  
11  
12 **Original OEM cartridge**

**BJ Ink Cartridge**



**Original OEM cartridge**

**BJ Ink Cartridge**



**Original OEM cartridge**

**BJ Ink Cartridge**

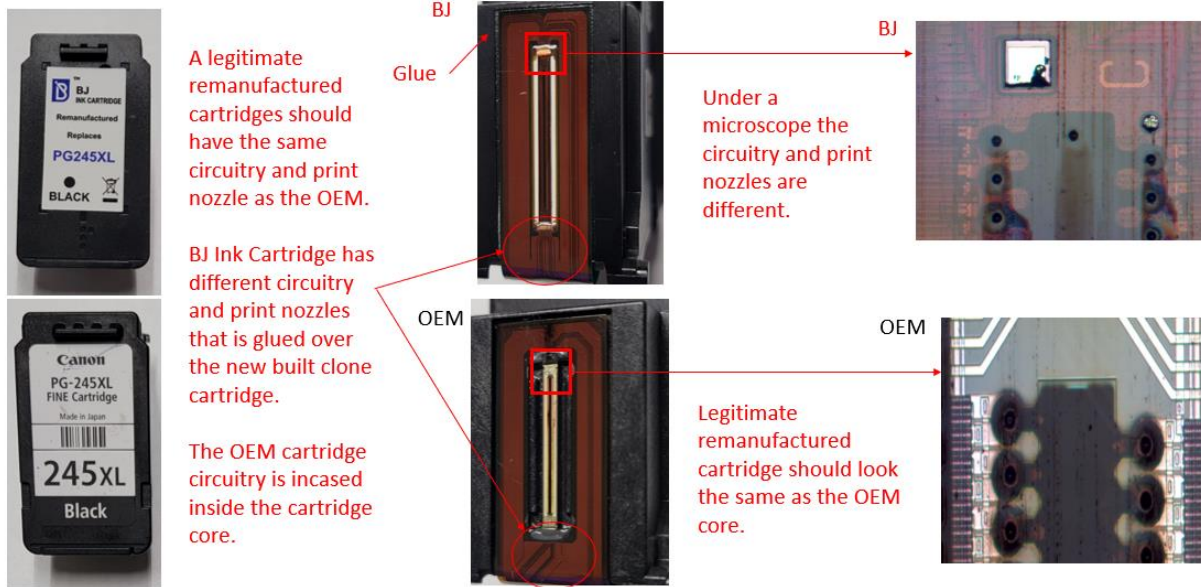


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18 **Side-by-side comparison**  
19 **between an original Canon**  
20 **cartridge and a new built non-**  
21 **OEM clone cartridge falsely**  
22 **labeled as a remanufactured**  
23 **and sold as a recycled product.**

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27  
28 **The OEM cartridge has Canon engraved in the core of the cartridge while the**  
**clone cartridge has no OEM markings and is made from clearly different plastic**  
**material.**

21 ///  
22 ///  
23 ///

Under Microscope BJ Cartridge New Built Clone Side-By-Side Comparison with OEM Cartridge Core



2) Example of an inaccurate and deceptive Amazon listing. Sheengo depicts its box to look like a Canon box and claims to be



Sheengo's listing on Amazon depicting itself as a Canon OEM Cartridge and ships by Amazon.

1 remanufactured.

2 a. Below is the actual package and product that was received after a  
3 test purchase from Amazon. The package and product are  
4 significantly different than what is depicted in Sheengo's Amazon  
5 listing.

6  
7  
8 The inaccurate depiction of listing and  
9 what was received is in direct violation of  
10 Amazon's Ink and Toner listing policy  
11 where your listing and images must  
12 accurately describe your product.



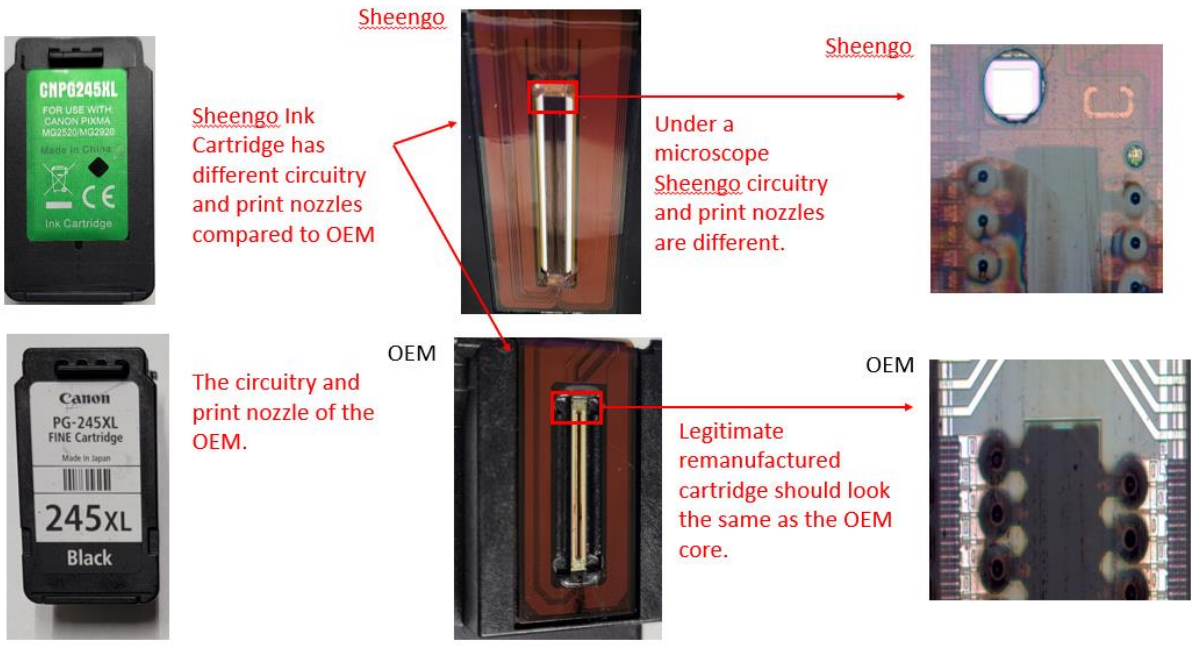
13  
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15 b. Side-by-side comparison of Canon cartridges and Sheengo's ink  
16 cartridges show a significant difference between the OEM core and  
17 a new built non-OEM clone cartridges falsely labelled as a  
18 remanufactured product.



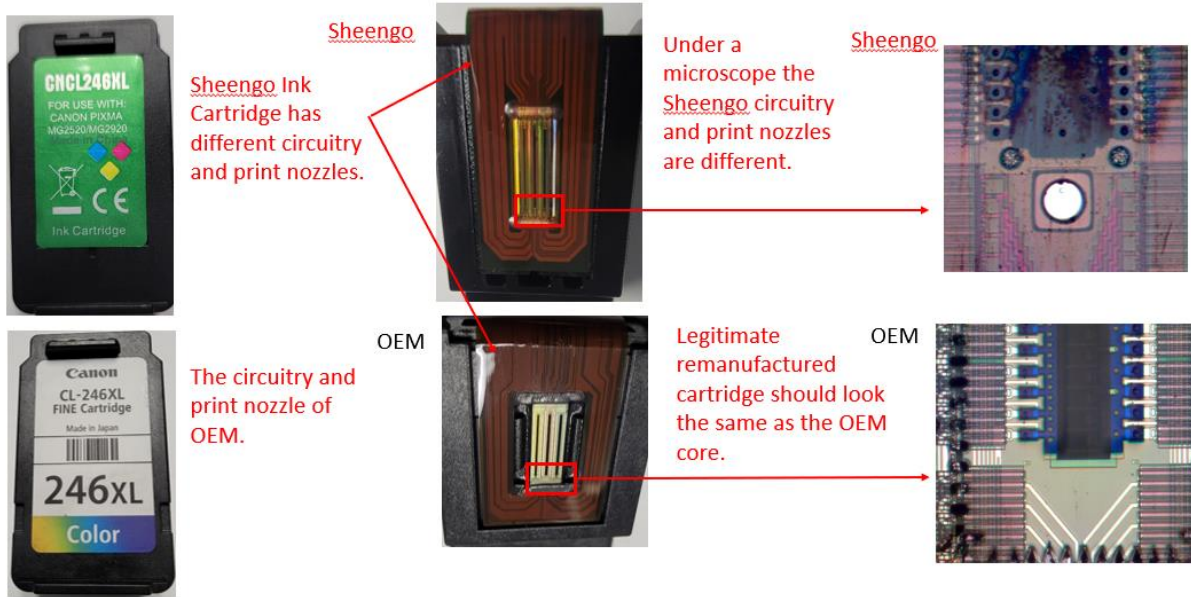
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27 Side-by-side comparison between an  
28 original Canon cartridges and Sheengo's  
new built non-OEM clone cartridges  
sold as a remanufactured product.

The OEM cartridge  
Canon  
Engraved in  
the core of  
the cartridge.  
The OEM cartridge has Canon engraved on the core of the cartridge. Sheengo's  
cartridges do not have any OEM markings and are clearly made from different plastic  
material.

Under Microscope Sheengo's New Built Clone Cartridge Side-By-Side Comparison with OEM Cartridge Core



Under Microscope Sheengo New Built Clone Cartridge Side-By-Side Comparison with OEM Cartridge



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c. The customer’s reviews below are examples of how Amazon strikes-out customers complaints and takes full responsibility for Sheengo’s falsely advertised listings because products ship from

Sheengo Reviews



"I ordered the Canon BRAND AND THAT IS WHAT I WANT."

By J Ingram on February 13, 2023.

Message from Amazon: This item was fulfilled by Amazon, and we take responsibility for this fulfillment experience.



"These cartridges were completely unusable. Based on the picture on Amazon, I thought I was buying actual Canon cartridges. This was a deceptive picture because the product I received was in a completely different-looking box. Check picture of the cartridges for "Canon" on the picture of the product."

Read less

By Thomas Johnson on February 1, 2023.

Message from Amazon: This item was fulfilled by Amazon, and we take responsibility for this fulfillment experience.

Amazon.

3) Below are examples of ink cartridge sellers making unsubstantiated environmental marketing claims that violate Amazon’s policies and FTC Environmental Marketing Green Guides.



V-Surink Ink Cartridges Replacement for Canon PG245XL CL246XL Compatible with PIXMA MX492 TR4520 TS3120 TS3320 MG2420 MG2522 MX490 MG2920 MG2922 MG2520 IP2820 Printer (1 Black 1 Color) (1B1C)

Brand: V-Surink  
★★★★★ 1,562 ratings | 53 answered questions

Price: \$39.99 & FREE Returns

Clip Save \$5 with coupon. Terms

Color: 1B1C



Brand: V-Surink  
Color: 1B1C  
Compatibility Options: Remanufactured  
Page Yield: 300  
Special Feature: Tri Color  
Compatible Devices: Printer

About this item

- Compatible With: Canon PIXMA MG2420 MG2450 MG2520 MG2522 MG2525 MG2550 MG2555 MG2555S MG2920 MG2922 MG2924 MG2950 MG3020 MG3022 MG3050 MG3051 MG3052 MG3053, PIXMA MX490 MX492 MX495, PIXMA TS202 TS205 TS302 TS3120 TS3122 TS3150 TS3151 TS3320 TS3322 TS3420, PIXMA TR4500 TR4520 TR4522 TR4550 TR4551, PIXMA IP2800 IP2820 IP2840 IP2850 IP2855.
- Page Yield: Up to 480 Pages Per Black Cartridge, Up to 350 Pages Per Color Cartridge (5% coverage). Providing Many More Pages Than Other Cartridge.
- High Performance: Compatible Canon PG245XL CL246XL Ink Cartridges Show Reliable Performance. Remaining Canon PG245XL CL246XL Ink Levels Accurately Reported for Compatible Printers and Keep Low Carbon Environmental Protection. Easy to Install. Print Out Clear Images and Text Quickly and Easily, With Vivid Colors and Perfect Original Color. Can Display Ink Level.
- Contents: 1 User Guide and 2 Pack V-Surink PG245XL CL246XL Ink Cartridges (1 Black, 1 Tri-Color).
- Note: Confirm Your Printer Model Before Placing An Order.

V-Surink making an environmental claim that their product are environmentally friendly product when they were found to be new built clone printer cartridges.



V-Surink makes an unsubstantiated claim of "keeping low carbon environmental protection"



1 4) The illicit brands of ink cartridges offered for sale on Amazon misuse  
2 recycling logos. The brands use the chasing arrows recycling logo and do not insert  
3 the trash icon on their products and packaging without indicating whether the  
4 product or packaging came from recycled material or is a recyclable product.

5 a. Below are examples of how these symbols are used without  
6 support of their recyclability claims in violation of Amazon’s policies  
7 and FTC Environmental Marketing Green Guides.



V-Surink misusing the recycling logo on its packaging and product deceiving customers it is a recycled product.

17 Greencycle Amazon listing uses recycling logos without any way to verify its recyclability claims. This product ships from Amazon.



25 Greencycle side-by-side comparison with Canon cartridge clearly shows the cartridge is not remanufactured from an OEM core. Greencycle has no Canon markings and its clearly made from different plastic material. It is a new built clone cartridge fraudulently labeled as remanufactured.



1  
2  
3 BJ Ink Cartridge deceives consumers that it is a  
4 recyclable product by using no trash icons and  
5 recycling logo on the product and packaging.  
6 There are no instructions on the packaging or  
7 product to indicate how and where to recycle  
8 this product.

9  
10 BJ Ink Cartridge misuses the recycling logo on  
11 its packaging by not providing any clear  
12 understanding if packaging and product are  
13 made from recycled material or that they can  
14 be recycled.



15  
16 5) Sellers misuse Amazon’s defined terms to describe different types of  
17 printer cartridges, “remanufactured” and “compatible.” Defendants in  
18 their listing policies define “compatible” to be a new built cartridge  
19 and “remanufactured,” a used cartridge that has been taken apart,  
20 cleaned, and rebuilt. The example below is how sellers use the terms  
21 interchangeably deceiving consumers.



22 Inktopia Compatible Ink Cartridge Replacement for Canon  
23 246XL CL 246 XL CL-246XL CL-244 (1 Color) for Canon PIXMA  
24 MG2520 MG2920 MG2922 MG2420 MG2522 MG2525  
25 MG3020 MG2555 MX490 MX492 Printer

26 Visit the Inktopia Store

27 ★★★★★ 489 ratings

28 Price: \$23.99 Get Fast, Free Shipping with Amazon Prime & FREE Returns

|                       |                       |
|-----------------------|-----------------------|
| Brand                 | Inktopia              |
| Color                 | Tricolor              |
| Compatibility Options | <u>Remanufactured</u> |
| Page Yield            | 300                   |
| Special Feature       | Tri Color             |
| Compatible Devices    | Printer               |
| Ink Color             | 1 Tri color           |

About this item

- Package Contents: Inktopia Replacement for Canon CL-246XL 246XL 246 XL CL-244 Ink Cartridges

29  
30 22. Defendants’ refusal to take meaningful steps to stop the sale of  
31 misrepresented clone cartridges has forced Plaintiff to resort to this litigation.  
32

1 Despite being the largest catalog marketer online, with vast resources, Amazon’s  
2 efforts and willingness to stop clone cartridge sales have been so incredibly  
3 ineffective, rendering it effectively nonexistent.

4 23. In addition to the presentations to Amazon, Plaintiff offered  
5 Defendants an open invitation to see first-hand the counterfeit cartridges, at  
6 Plaintiff’s remanufacturing facility, and how they are being identified as  
7 counterfeit. The following photographs were provided to Defendants of ink  
8 cartridges test purchased by Plaintiff:



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24. The following brands were found to be new built clone cartridges, falsely sold as “remanufactured” and recycled products:

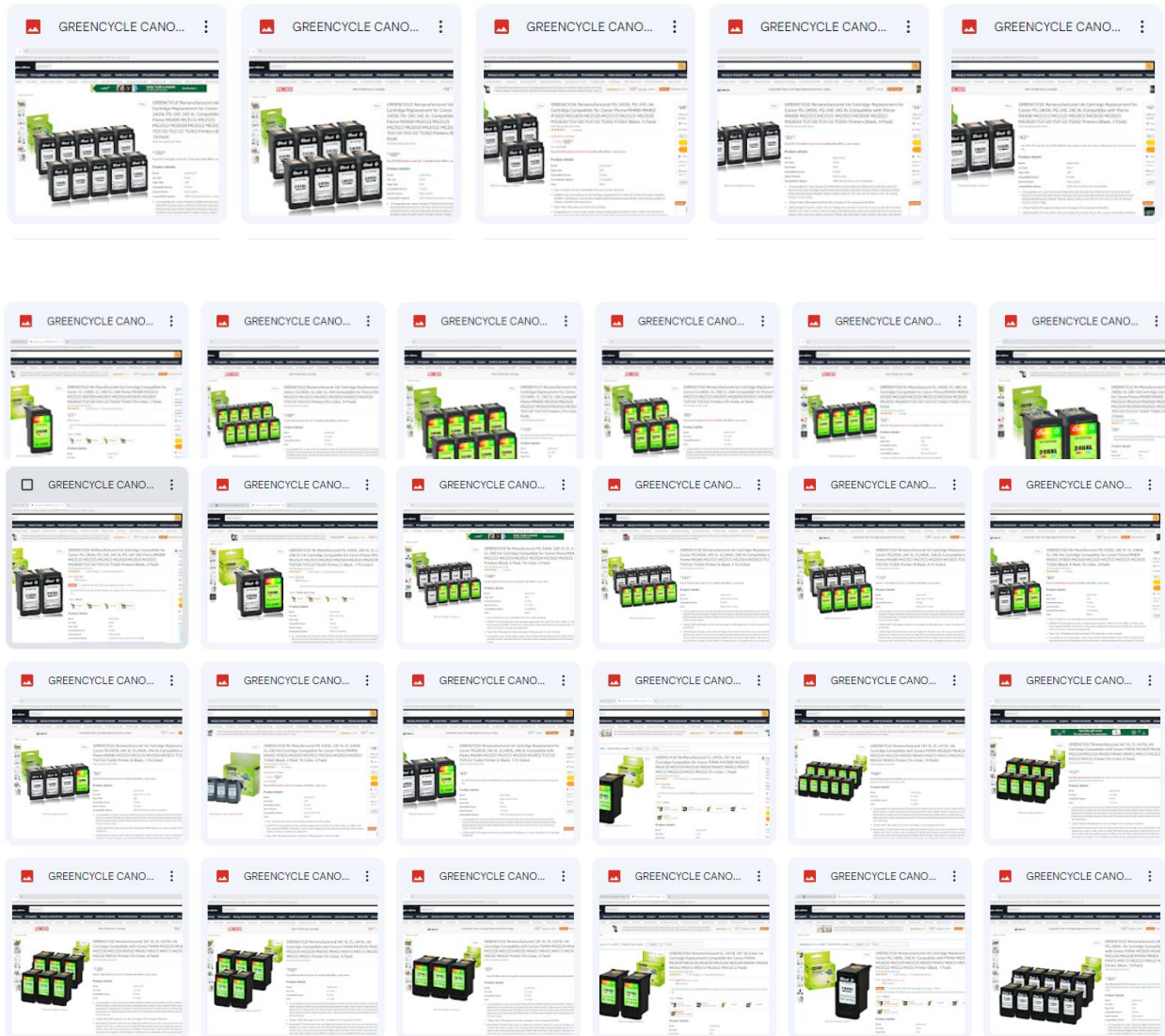
- |                        |                  |                    |                     |                   |
|------------------------|------------------|--------------------|---------------------|-------------------|
| 1. AAKidInk            | 10. FAcms        | 19. H&BO<br>Topmae | 28. Kolor<br>Expert | 37. Sellyaha      |
| 2. Ankink              | 11. Fastink      | 20. Inkni          | 29.<br>Lucascolo    | 38. Sheengo       |
| 3. Batuto              | 12. Foiset       | 21. InkSpirit      | 30. Mooho           | 39. Upsek         |
| 4. BJ Ink<br>Cartridge | 13. Forzik       | 22. Inktopia       | 31. Novajet         | 40. Valker        |
| 5. BStink              | 14. Geshine      | 23. Insmax         | 32. OnlyU           | 41.<br>ValueToner |
| 6. CG<br>Chinger       | 15. GPC<br>Image | 24. Jarbo          | 33. Palmtree        | 42. V-Surlink     |
| 7. ColorKing           | 16. Greenbox     | 25. Janmore        | 34.                 | 43. Witop         |

Reprinpic

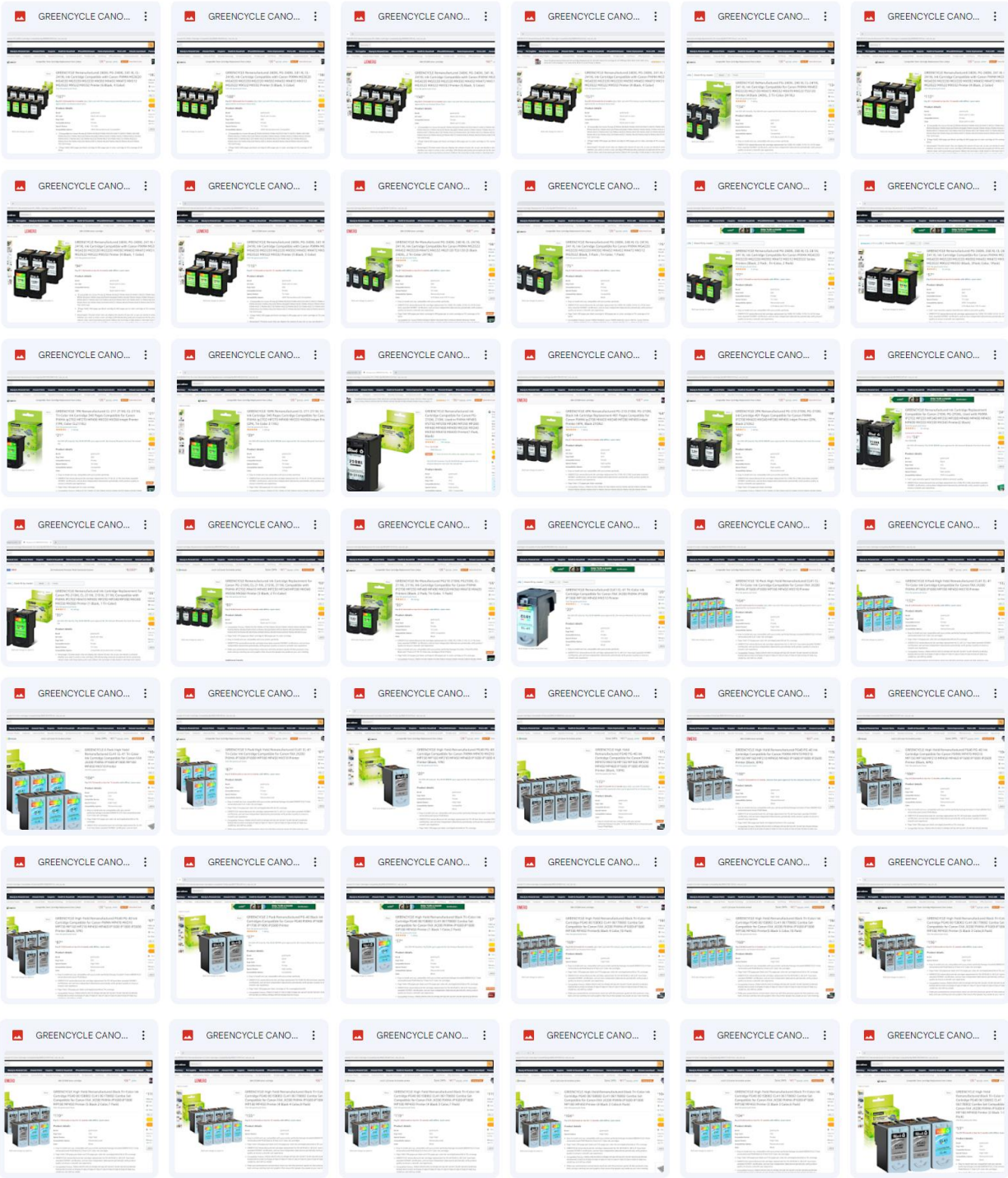
8. CSStar 17. Greencycle 26. Jonity 35. Retch 44. Yatunik

9. Doreink 18. Incwolf 27. LxTek 36. Teino 45. Ejet

25. In addition, illicit brands of printer cartridges flood Amazon’s platform with a variety of single and combo pack listings. Below is an example of how two brands, Greencycle and Inktopia, are creating multiple listings that saturate the platform:

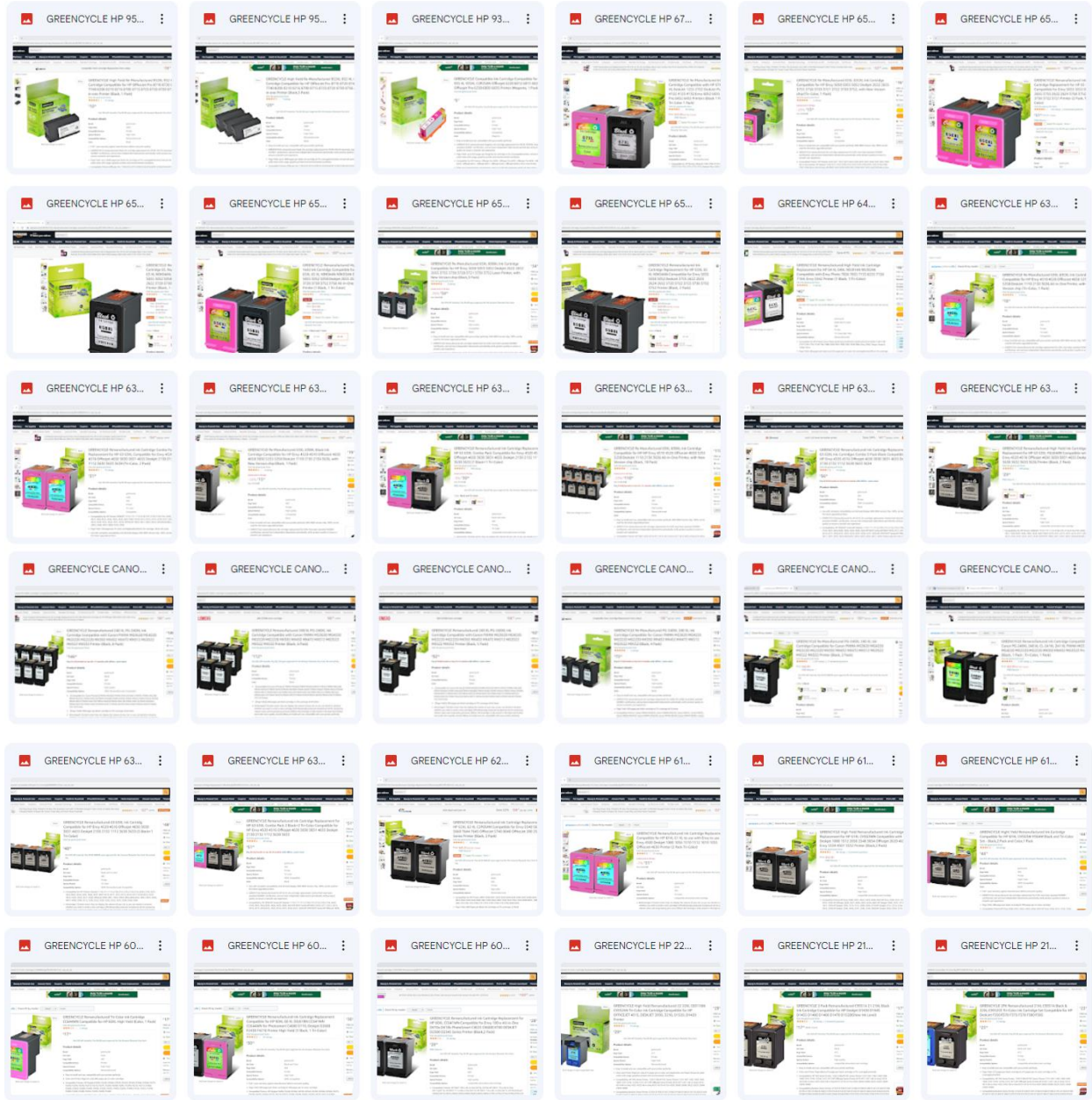


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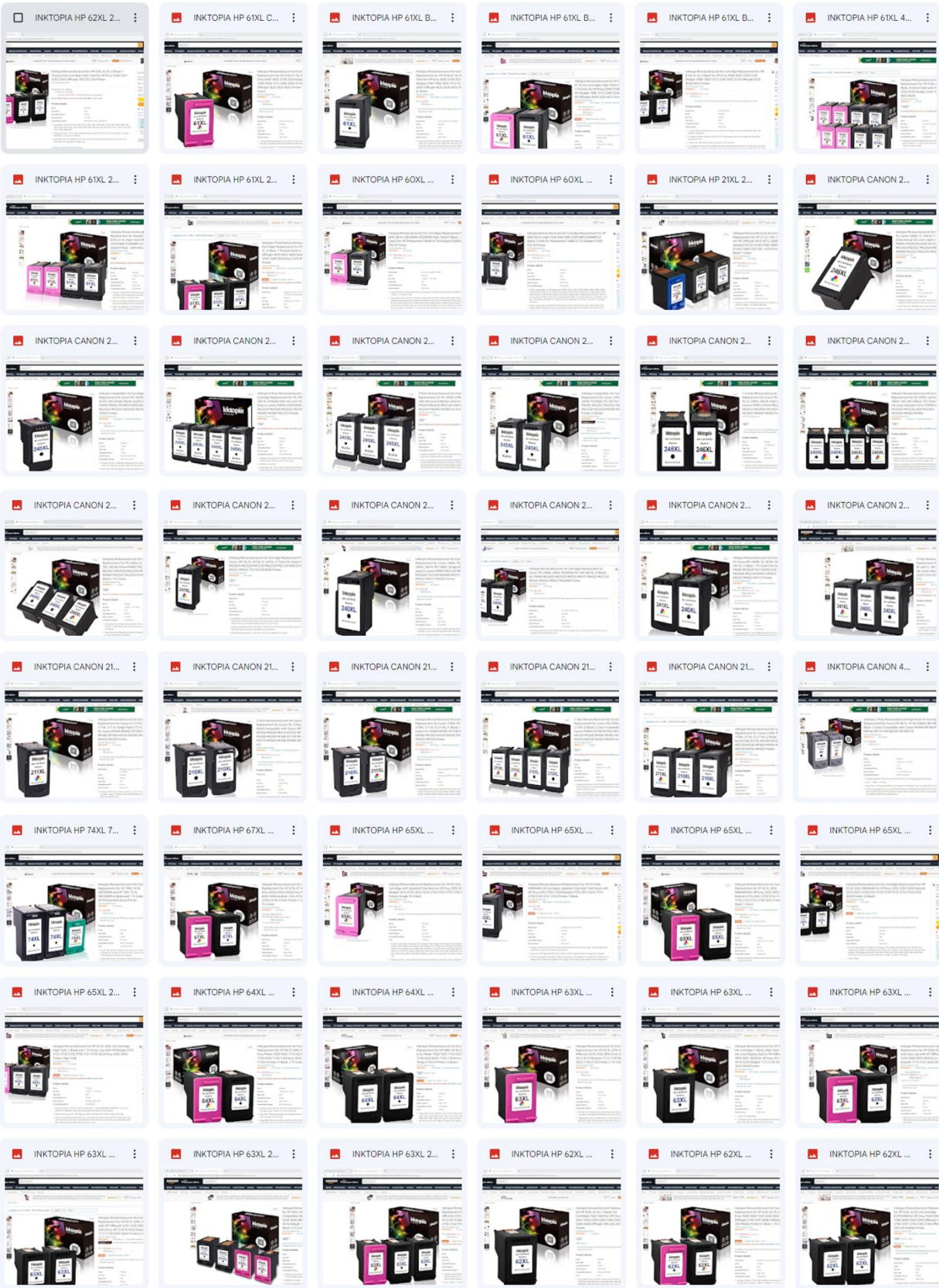
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26. Most, if not all, illicit clone ink cartridges originate from China. To remanufacture printer cartridges, you need to obtain viable OEM cores. It was pointed out to Defendants in the example below, remanufactured ink cartridges with availability in the millions per month are being sold wholesale on Alibaba for a single model. This is simply preposterous!

Zhuhai National Resources & Jingjie Printing Technology

**This Alibaba seller is offering 10 million remanufacture HP 62XL cartridges per month when the HP 62XL OEM core cartridges are hard to accumulate.**

| Supply Ability |                                 |
|----------------|---------------------------------|
| Supply Ability | 10000000 Piece/Pieces per Month |

| Packaging & delivery |  |
|----------------------|--|
| Packaging Details    | INK-TANK box packaging, INK-POWER box packaging, bulk packaging, neutral white box, neutral colour box, customized box |
| Port                 | Zhuhai   |
| Lead time (days)     | 7 To be negotiated   |

27. To remanufacture printer cartridges, a legitimate remanufacturer needs a significant number of empty viable OEM cores. In 2017, the Chinese government implemented Operation National Sword prohibiting the importation of plastic and solid waste which included empty printer cartridges. On information and belief, based on Plaintiff’s 23 years of collecting and remanufacturing OEM cartridge cores, it would be impossible for one individual company to collect a singular specific cartridge model core and offer a remanufactured finished product in the quantity of millions per month.

28. In addition to the above listing on Alibaba, it was shared with Defendants that there are at least nine other sellers with listings on Alibaba that offer suspect remanufactured printer cartridges in absurd quantities, into the millions per month for a single cartridge model. Below are the companies:

///



1 A. Zhuhai National  
2 Resources &  
3 Jingjie Printing  
4 Technology

B. Shenzhen Nolar  
Trade  
Development  
Company

C. Shenzhen Michsan  
Technology  
Company

D. Uniplus  
Technology  
Corporation

E. PK Printking  
Technology  
Company

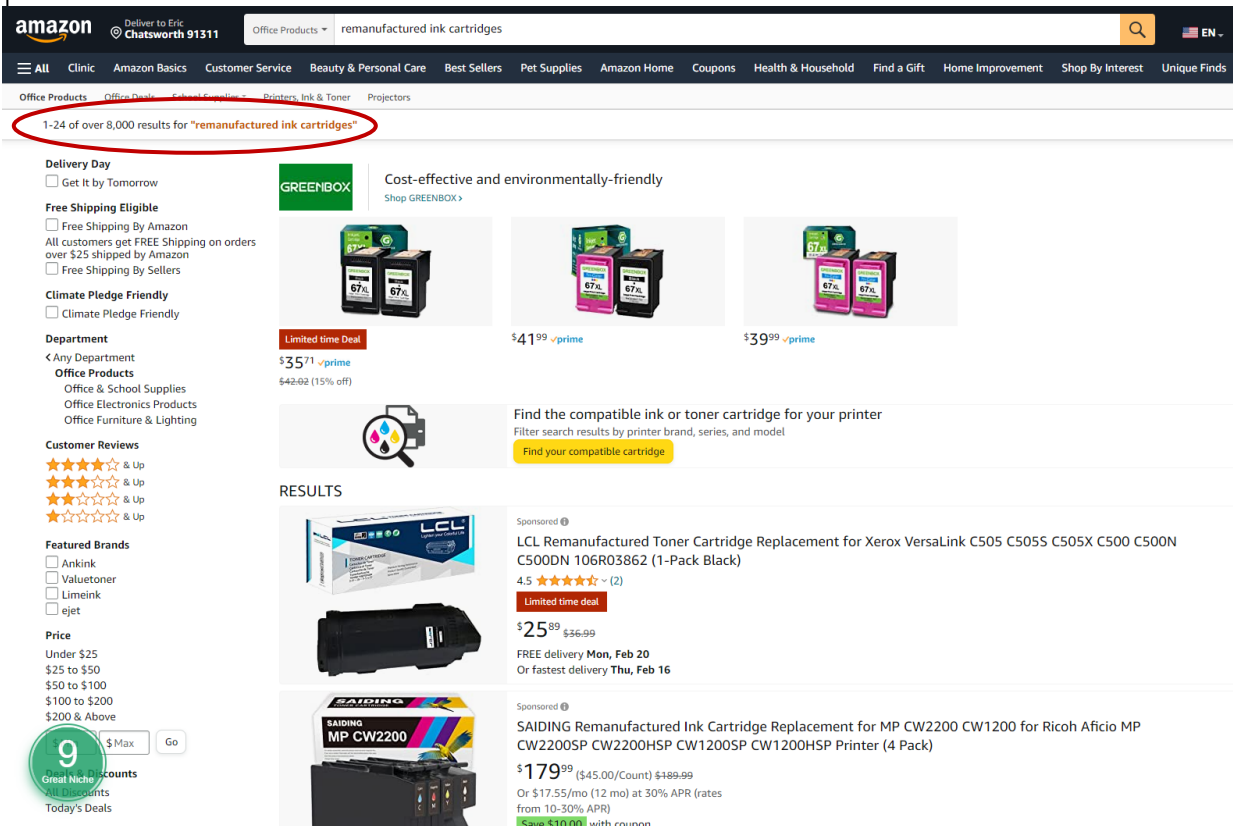
F. Ebest Digital  
Technology

7 G. Zixingshi Heshun  
8 Technology  
9 Printing Materials  
10 Company

H. Tatrix  
International China  
Co, Ltd

I. Prospect Image  
Products Limited  
of Zhuhai

11 29. Amazon sells millions of purported remanufactured ink cartridges  
12 that originate from China. When conducting a search for “remanufactured ink  
13 cartridges” on Amazon, 8,000 total results were returned. The total number of  
14 remanufactured ink cartridge listings is actually much greater, based on how  
15 Defendants filter their search results. It is reasonable to say that most



1 remanufactured ink cartridges listed on Amazon make unsubstantiated claims of  
2 being remanufactured or recyclable product.

3 30. Data captured from Jungle Scout, a third-party application that  
4 provides research and market intelligence on products offered for sale on Amazon,  
5 estimates that remanufactured ink cartridges alone generate \$3,233,555,328 in  
6 sales annually.

7 31. Defendants make it impossible for any legitimate printer cartridge  
8 remanufacturing company to compete when Amazon has a vested interest in  
9 keeping third-party sellers on its platform while facilitating the sale of illegitimate  
10 remanufactured ink cartridges on a mass scale regardless of whether they are  
11 misrepresented or violate federal and state law.

12 32. In the 1980s, the remanufacturing industry for printer cartridges was  
13 established in the United States. By mid-2000s, United States printer cartridge  
14 remanufacturing grew into an estimated \$7 billion industry boasting thousands of  
15 U.S. companies comprised of remanufacturers, used cartridge collectors, suppliers,  
16 resellers, trade publications and expos. The printer cartridge remanufacturing  
17 industry evolved as a solution to divert millions of used printer cartridges away  
18 from U.S. landfills generated by the original equipment manufacturers of printers  
19 and turned the waste into a low-cost, reusable product for the consumer.

20 33. Now the U.S. remanufacturing industry is on the verge of extinction.  
21 The anti-competitive behavior of Defendants is the driving force behind the  
22 proliferation of counterfeit remanufactured ink cartridges saturating the U.S.  
23 market, deceiving consumers, undercutting legitimate remanufacturers, and leaving  
24 the recycle stream with an overwhelming amount of plastic waste. This has caused  
25 great harm to the Plaintiff's growth opportunities because Plaintiff is dependent on  
26 the industry for the supply chain of materials needed for its remanufacturing  
27 process, as well as its wholesale network of resellers for their finished products.  
28 The blame for the destruction of an entire industry and direct harm to Plaintiff lies

1 at the feet of Amazon, as a result of the sale of inauthentic printer cartridges,  
2 advertised, sold, and distributed by Defendants through their website.

3 34. Further, the unsubstantiated claims that these cartridges being sold by  
4 and on Amazon's platform are recyclable are particularly reprehensible, as these  
5 generic single-use clone brand printer cartridges do not offer any service to reclaim  
6 their used cartridges, leaving them to be thrown in the trash. It has been estimated  
7 that over 375 million printer cartridges end up in United States landfills each year,  
8 creating a massive amount of plastic waste.<sup>1</sup> Generic branded single-use clone  
9 printer cartridges use up natural resources and release greenhouse gases during the  
10 production process. To manufacture one new printer cartridge, the process emits  
11 around 4.8Kg CO2 and uses up to a gallon of oil.<sup>2</sup>

12 35. Defendants' ecommerce platform has empowered illicit overseas  
13 printer cartridge manufacturers, eliminating thousands of legitimate printer  
14 cartridge resellers, by selling direct to consumers. Since its inception, Plaintiff built  
15 a successful wholesale business as a vast printer cartridge reseller base nationwide.  
16 As set forth further below, Amazon plays an essential role in the sale and  
17 distribution of illicit ink cartridges.

18 36. In a traditional supply chain, a distributor, wholesaler, or retailer  
19 would serve as middlemen for overseas manufacturers to bring their products to  
20 market. Parties directly or indirectly involved in the sale of a product and  
21 disseminating advertising claims have a responsibility to ensure the product's  
22 claims can be proven. Amazon places itself between consumers and the third-party  
23 seller in the chain of distribution of products. Amazon approves seller listings,  
24 accepts possession of products, and stores it in its warehouses, attracts the  
25 customer to the Amazon website using third-party seller listings, provides  
26 customers with product listings for their searches, processes customer payments for

27  
28 <sup>1</sup> Bob Gorman, Ink Waste: The Environmental Impact of Printer Cartridges, Bob Gorman (March 30,  
2017), <https://energycentral.com/c/ec/ink-waste-environmental-impact-printer-cartridges/>.

<sup>2</sup> *Ibid.*

1 the product, and ships products in Amazon packaging to customers.

2 37. Moreover, Amazon operates as a co-seller for third-party individuals,  
3 entities, or manufacturers who sell on its website. Amazon sets the terms of its  
4 relationship with the sellers; controls the conditions of the manufacturer's products  
5 offered for sale on Amazon; limits the seller's access to customer information  
6 forcing the seller to communicate with customers through Amazon; and demands  
7 indemnification as well as substantial fees on each purchase. Regardless of how  
8 Amazon labels itself in the selling process, one cannot help but conclude that they  
9 are indeed a seller of illicit clone ink cartridges to consumers.

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1 38. Below are screen shots of Amazon’s specific ink and toner selling  
2 policies that Defendants are not enforcing, allowing for deceptive product  
3 descriptions to rampantly take place across the category:  
4

## 5 Selling ink or toner cartridges

6 This page outlines requirements for listing ink or toner cartridges, and explains how to categorize them into appropriate sub categories on Amazon. Please see Ink or toner listing guidelines for additional information on how to appropriately list these products on Amazon.

### 7 Category requirements

8 Amazon limits the types of ink or toner cartridges that sellers can list to ensure that customers are able to buy with confidence from sellers on Amazon.com. Please note the following requirements:

- 9 • Amazon prohibits sellers from listing ink or toner cartridges in "Refurbished" or "Used" condition. All listings, including remanufactured, refilled and compatible ink or toner, must be in "New" condition.
- 10 • Remanufactured, refilled and compatible ink or toner products must be listed as separate ASINs. You cannot use the same ASINs as the original/OEM ink or toner products. See Ink or toner listing guidelines for additional details.
- 11 • All ink or toner cartridges must be packaged in unopened retail packaging, and product images must accurately depict the retail packaging the customer will receive. Sellers are prohibited from listing ink or toner cartridges in open box condition or in inner factory foil packaging.
- 12 • All ink or toner products must be fully functional and free from defects that could render them unusable or harmful to printers (for example damaged, dried or leaking cartridges).
- 13 • Sellers may offer custom bundles of ink or toner cartridges (that are not manufacturer-created multipacks), provided each individual cartridge in the bundle is in its original retail packaging. A custom bundle must be listed as its own ASIN, with image, bullet points and product description clearly indicating that it comprises individual packs bundled together.
- 14 • Please refer to the Product Bundling Policy for additional listing requirements.
- 15 • All major brands require UPCs. See Product UPCs and GTINs for further details, which includes requirements for products sold as bundles and requirements for products sold as packs.
- 16 • Best Before, Use Before, Use By, and Warranty Ends are all considered expiration dates. Expiration dates are the dates suggested by the manufacturer, and are printed on the product packaging, the product, or both.
- 17 • The expiration date printed by the manufacturer should be clearly visible when the product is shipped. Ink or toner, if they have an expiration date suggested by the manufacturer, should only be shipped to customers when the ink or toner is at least 180 days prior to the date of expiration. FBA sellers should ship their products to FBA reasonably prior to 180 days before the date of expiration.

### 18 Categorizing ink or toner cartridges

19 Categorize ink or toner cartridges according to the definitions below.

#### 20 1. Same-Brand Ink or Toner Cartridge in Retail Packaging

- A same-brand ink or toner cartridge is manufactured under the same brand name as printer in which the cartridge is used (such as, HP, Canon, Epson, Lexmark, Brother, etc.).

#### 21 2. Compatible Ink or Toner Cartridge

- An ink or toner cartridge designed to work with a particular printer, but was not manufactured under the same brand name as the printer in which the cartridge is intended to be used. These cartridges are produced using mostly new or all new parts and components.

#### 22 3. Remanufactured Ink or Toner Cartridge

- A cartridge that has been used, remanufactured, and refilled with ink or toner. To varying degrees, the cartridge may have been taken apart, cleaned, and had parts replaced.

#### 23 4. Refilled Ink or Toner Cartridge

- A cartridge that has been used and refilled with ink or toner. All of the cartridge's current components were manufactured by the same company that manufactured the printer in which the cartridge is intended to be used. The refilling process did not involve any disassembly, cleaning, or replacement of parts.

[Seller Central Help](#) > [Increase sales](#) > [Additional resources for increasing sales](#) > [Browse & Search](#) > [Consumer Electronics](#) > [The Consumer Electronics Store Style Guide](#) > [Subcategory Specifications](#) > [Ink or Toner](#)

# Ink or Toner

## On this page

- [Title](#)
- [Brand Name](#)
- [Images](#)
- [Feature bullets](#)
- [Product description](#)

To provide a great customer experience, sellers have to ensure the ASIN title, brand name, images, feature bullets and product description accurately describe the ink or toner product being listed. Failure to follow Amazon's listing guidelines could result in the removal of your listings or the loss of your selling privileges on Amazon. Please follow the below listing specifications as closely as possible, and please see [Selling Ink or Toner Cartridges](#) for details about category requirements, and to learn how to categorize your ink or toner products on Amazon.

## Title

A good title should be descriptive enough for a customer to make the purchase based on the information in the title alone. Avoid marketing content (free, exclusive, bonus, stylish, lightweight, heavy duty, etc.) or use of the title field to list hardware compatibility. Pay attention to title formats listed below for Remanufactured, Refilled and Compatible products to ensure appropriate usage of brand names.

### Refilled Ink or Toner Cartridge

`[Third Party Brand] + "Refilled" + [Product: Ink or Toner Cartridge] + "Replacement for" + [OEM Brand] + [Series Name] + [Model Name] + ([Color(s)], [#-Pack], if app)`

#### Examples

- LD Products + Refilled + Ink Cartridge + Replacement for + HP + 02 + (Black, 5-Pack) = LD Products Refilled Inkjet Cartridge Replacement for HP 02 (Black, 5-Pack)
- Office 66 + Refilled + Toner Cartridge + Replacement for + Brother + TN-350 + (Black) = Office 66 Refilled Toner Cartridge Replacement for Brother TN-350 (Black)

### Remanufactured and Refilled Ink or Toner Cartridge

`[Third Party Brand] + "Remanufactured" + [Product: Ink or Toner Cartridge] + "Replacement for" + [OEM Brand] + [Series Name] + [Model Name] + ([Color(s)], [#-Pack], if app)`

#### Examples

- LD Products + Remanufactured + Ink Cartridge + Replacement for + HP + 02 + (Black, 5-Pack) = LD Products Remanufactured Ink Cartridge Replacement for HP 02 (Black, 5-Pack)
- Office 66 + Remanufactured + Toner Cartridge + Replacement for + Brother + TN-350 + (Black) = Office 66 Remanufactured Toner Cartridge Replacement for Brother TN-350 (Black)

1 39. Most of the illicit ink cartridges sold on Amazon are sold through  
2 Amazon’s “FBA” services also known as Fulfillment by Amazon. Through FBA  
3 services, Defendants’ store, pick, pack, ship, and deliver the products to customers  
4 in Amazon shipping envelopes and boxes. Amazon controls all customer service  
5 and returns and responds directly to consumers who leave negative reviews for  
6 products fulfilled by FBA.

7 40. Defendants control all aspects of selling and distribution of products  
8 through their FBA services. Amazon’s Anti-Counterfeiting Policy, screenshot  
9 below, states “it is each seller’s and supplier’s responsibility to source, sell, and  
10 fulfill only authentic products.” However, when FBA services are utilized,  
11 Amazon directly sells and fulfills inauthentic products.

12 [Seller Central Help](#) > [Policies, agreements, and guidelines](#) > [Program Policies](#) > [Amazon Anti-Counterfeiting Policy](#)

13 **Amazon Anti-Counterfeiting Policy**

14 **Products offered for sale on Amazon must be authentic. The sale of counterfeit products is strictly prohibited. Failure to abide by this policy may result in loss of selling privileges, funds being withheld, and disposal of inventory in our possession.**

15 It is each seller’s and supplier’s responsibility to source, sell, and fulfill only authentic products. Prohibited products include bootlegs, fakes, or pirated copies of products or content; products that have been illegally replicated, reproduced, or manufactured; and products that infringe another party’s intellectual property rights. If you sell or supply inauthentic products, we may immediately suspend or terminate your Amazon selling account (and any related accounts) and dispose of any inauthentic products in our fulfillment centers at your expense. In addition, we do not pay sellers until we are confident our customers have received the authentic products they ordered. We may withhold payments if we determine that an Amazon account has been used to sell inauthentic goods, commit fraud, or engage in other illegal activity.

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19 We work with manufacturers, rights holders, content owners, vendors, and sellers to improve the ways we detect and prevent inauthentic products from reaching our customers. As a result, we remove suspect listings based on our own review of product. We also work with rights holders and law enforcement worldwide to take and support legal action against sellers and suppliers that knowingly violate this policy and harm our customers. In addition to criminal fines and imprisonment, sellers and suppliers of inauthentic products may face civil penalties including the loss of any amounts received from the sale of inauthentic products, the damage or harm sustained by the rights holders, statutory and other damages, and attorney’s fees.

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22 Amazon strives to ensure a trustworthy shopping experience for our customers. By selling on Amazon, you agree that:

- The sale of counterfeit products is strictly prohibited.
- You may not sell any products that are not legal for sale, such as products that have been illegally replicated, reproduced, or manufactured
- You must provide records about the authenticity of your products if Amazon requests that documentation

23  
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25 Failure to abide by this policy may result in loss of selling privileges, funds being withheld, destruction of inventory in our fulfillment centers, and other legal consequences.

26 **More information**

- Sell Only Authentic and Legal Products. It is your responsibility to source, sell, and fulfill only authentic products that are legal for sale. Examples of prohibited products include:
  - Bootlegs, fakes, or pirated copies of products or content
  - Products that have been illegally replicated, reproduced, or manufactured
  - Products that infringe another party’s intellectual property rights

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28

- 1 • Maintain and Provide Inventory Records. Amazon may request that you provide documentation (such as invoices) showing  
2 the authenticity of your products or your authorization to list them for sale. You may remove pricing information from  
3 these documents, but providing documents that have been edited in any other way or that are misleading is a violation of  
4 this policy and will lead to enforcement against your account.
- 5 • Consequences of Selling Inauthentic Products. If you sell inauthentic products, we may immediately suspend or terminate  
6 your Amazon selling account (and any related accounts), dispose of any inauthentic products in our fulfillment centers at  
7 your expense, and/or withhold payments to you.
- 8 • Amazon Takes Action to Protect Customers and Rights Owners. Amazon also works with manufacturers, rights holders,  
9 content owners, vendors, and sellers to improve the ways we detect and prevent inauthentic products from reaching our  
10 customers. As a result of our detection and enforcement activities, Amazon may:
  - 11 ◦ Remove suspect listings.
  - 12 ◦ Take legal action against parties who knowingly violate this policy and harm our customers. In addition to criminal  
13 fines and imprisonment, sellers and suppliers of inauthentic products may face civil penalties including the loss of  
14 any amounts received from the sale of inauthentic products, the damage or harm sustained by the rights holders,  
15 statutory and other damages, and attorney's fees.
- 16 • Reporting Inauthentic Products. We stand behind the products sold on our site with our [A-to-z Guarantee](#), and we  
17 encourage rights owners who have product authenticity concerns to [notify us](#). We will promptly investigate and take all  
18 appropriate actions to protect customers, sellers, and rights holders. You may view counterfeit complaints on the Account  
19 Health page in Seller Central.

20 41. When Amazon was informed by Plaintiff regarding its category-wide  
21 issue of illicit brand ink cartridges sold on its platform, Defendants did not take  
22 any action as outlined in their own Anti-counterfeiting policy. Almost all of the  
23 illicit cartridges are sold through Amazon's FBA services, which presents a  
24 conflict of interest for Defendants to enforce or abide by their own policy as they  
25 profit from each item they fulfill. Amazon also plays a direct role in the sale and  
26 distribution of the illicit cartridges – taking possession of them, processing sales,  
27 and distributing them to consumers.

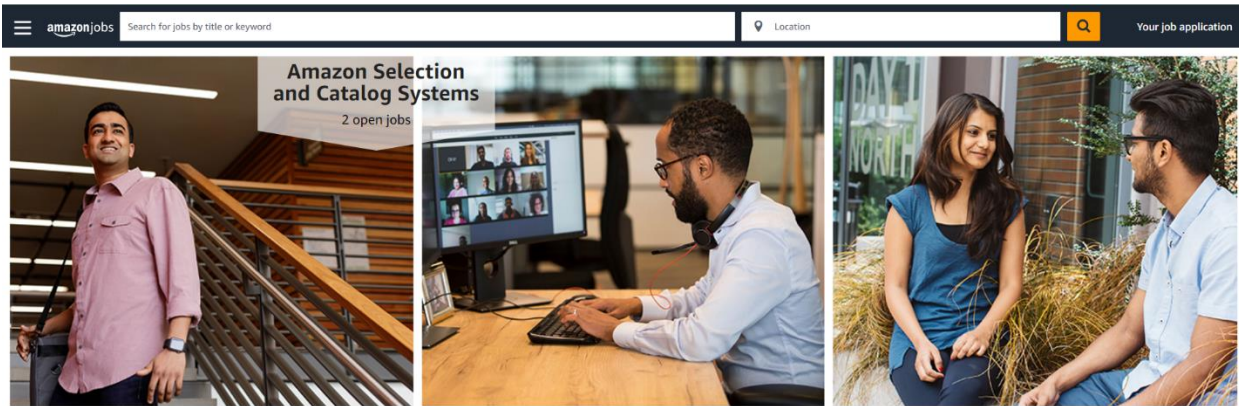
28 42. Amazon is not a passive or neutral ecommerce marketplace; they are  
an online catalog marketer, driving traffic, promoting, selling, and distributing  
products. Defendants claim to strive to be Earth's most customer-centric company  
with customer reviews, one-click shipping, personalized recommendations and  
Fulfillment by Amazon. In becoming one of the most successful ecommerce  
platforms, Defendants have blurred the lines for the customers as to who is selling  
them products and, in fact, themselves become sellers. Below is an example of  
how Amazon describes itself when it places a job advertisement. Amazon claims to  
be the "World's largest e-Commerce products catalog."



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Powering the online buying experience for global customers

Amazon Selection and Catalog Systems (ASCS) builds the systems that host and run the world's largest e-Commerce products catalog. We power the online buying experience for worldwide customers, allowing them to find, discover, and buy anything they want. Our massively scaled out systems process hundreds of millions of updates on billions of products across physical, digital, and service offerings. We don't just build systems, we build trust. At any given moment, millions of Amazon customers around the world rely on us to serve up the most up-to-date and complete product information.

Scale is a key component of our success. In order to deliver reliable and accurate product information for customers, we continuously stretch the limits of distributed systems and big data processing to solve some of the hardest technical problems and unprecedented scale challenges. Our team develops technologies spanning parallel processing, storage, machine learning, natural language processing, and image recognition to overcome these challenges. As Amazon businesses continue to grow and diversify, the challenges only get bigger, requiring us to constantly innovate as there are no "textbook solutions." We are the team inventing solutions.

Explore our roles and join us at the center of Amazon's e-Commerce universe, where we encourage you to think big and innovate on behalf of our customers.

43. Defendants define performance targets and policies required to sell on their platform. Seller accounts can be deactivated when they do not comply with the required performance rates that include negative feedback. However, a seller can request the removal of negative feedback if it is related to delivery service provided by Amazon. Outlined in red, Defendants state in their FBA policies, “after reviewing the feedback, we might strike through the negative rating, and it will not reflect on your performance metrics.” Whereas, their policy also states, “A merchant-fulfilled order on Amazon, even if submitted as a Multi-Channel Fulfillment order, is not eligible for buyer feedback strike-through.”

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[Seller Central Help](#) > [Get started with Fulfillment by Amazon \(FBA\)](#) > [FBA policies and requirements](#) >

Buyers can leave feedback for sellers on orders that are fulfilled by Amazon just as they do for merchant-fulfilled orders. The [Feedback Manager](#) on the **Performance** tab lets you track buyer satisfaction with your service. You can view short-term and long-term metrics as well as detailed feedback entries with buyer comments and email addresses.

**What happens when I receive a negative feedback on an AFN order?**

When a buyer leaves negative feedback that is related to delivery service provided by Amazon, you can request for [removal of the feedback](#). After reviewing the feedback, we might strike through the negative rating, and it will not reflect on your performance metrics. The buyer's comment will remain with a note from Amazon that states, "This item was fulfilled by Amazon, and we take responsibility for this fulfillment experience."

However, if we find that any portion of the comment applies to the condition of your product as indicated on your listing (New, Used, etc.), or any service that you, instead of Amazon, provided or arranged to be provided to the buyer, the feedback and negative rating will remain without edits.

Please note that our policies prohibit any activity that would interfere with our capacity to help other sellers, including submission of high volumes of incorrect or speculative requests to Seller Support.

**Note:** The buyer feedback strike-through only applies to items sold on Amazon and fulfilled through the Amazon fulfillment network (AFN). A merchant-fulfilled order on Amazon, even if submitted as a Multi-Channel Fulfillment order, is not eligible for buyer feedback strike-through.

44. Defendants violate their own policies, creating content on sellers' listings by editing negative reviews, and taking responsibility beyond delivery related issues. Amazon takes responsibility when there is a negative review that relates to product defects or misrepresentation of product listings. For sellers who use Amazon's FBA services, the result is a beneficial manipulation of seller's performance metrics. This is deceptive to consumers as Amazon is acting as a seller of the product by taking responsibility for the product beyond mere fulfillment.

45. Below are examples of Amazon responding on behalf of the sellers selling the identified illicit brands of ink cartridges that did not have a delivery problem but did have false advertising and product defect issues:

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1 InkTopia Ink Cartridge



2 "The 21 cartridge does not work on the office jet 5610. Not as advertised, now I'm stuck with useless product."

3 By Warby on October 8, 2022.

4 **Message from Amazon:** This item was fulfilled by Amazon, and we take responsibility for this fulfillment experience.

5 ColorKing Ink Cartridges



6 "Not original HP 64XL. They were remanufactured 64 black. This was misleading advertising."

7 By Jean M. on December 9, 2022.

8 **Message from Amazon:** This item was fulfilled by Amazon, and we take responsibility for this fulfillment experience.

9  
10 EJet Ink Cartridges:



11 "the description said it would work on my HP 6958. It does not. I would like a refund. can you issue this? thanks, cb"

12 By cb on August 12, 2022.

13 **Message from Amazon:** This item was fulfilled by Amazon, and we take responsibility for this fulfillment experience.

14  
15 Ankink Ink Cartridges



16 "Black did not work, tried multiple head cleanings....did not try color cartridge but this is poor QC and now i have to drive 60 minutes round trip to return incurring \$15 of my gas n wear n tear to return a defective item this isn't right"

17 [Read less](#)

18 By Thomas Maerz on January 24, 2023.

19 **Message from Amazon:** This item was fulfilled by Amazon, and we take responsibility for this fulfillment experience.

20  
21 BJ Ink Cartridges



22 "Does not print in the correct color. I was printing highlighted red text and it printed out black text with greenish highlight. Not satisfied with product which I used once. I would like to send the product back for a full refund."

23 [Read less](#)

24 By HRT on September 30, 2022.

25 **Message from Amazon:** This item was fulfilled by Amazon, and we take responsibility for this fulfillment experience.

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1 46. Furthermore, Defendants specifically provide Environmental  
2 Marketing Guidelines, clearly stating sellers “must comply with all the applicable  
3 federal laws when listing and selling products on Amazon.com. You must also  
4 comply with state and local laws applicable to the jurisdiction into which your  
5 products are sold.” The following is a screenshot of Defendants’ Environmental  
6 Marketing Guidelines. Outlined in red are key policies. In its presentations to  
7 Amazon, Plaintiff demonstrated that the sellers of the illicit ink cartridges were  
8 blatantly violating Amazon’s guidelines:  
9

10 [Seller Central Help](#) > [Policies, agreements, and guidelines](#) > [Program Policies](#) > [Product guidelines](#) >  
11 [Environmental Marketing Guidelines](#)

## 12 Environmental Marketing Guidelines

13 On this page

14 [Highlights from the FTC Green Guides](#)

15 [California Law](#)

16 [Additional Resources](#)

17 **Remember:** You must comply with all applicable federal laws when listing and selling products on Amazon.com. You must  
18 also comply with state and local laws applicable to the jurisdiction into which your products are sold. **Sellers using**  
19 **Fulfillment by Amazon**, please also see [FBA Prohibited Products](#) for additional product restrictions.

20 We want to make it easy for buyers to find, discover, and buy products that are marketed as environmentally friendly or  
21 "green." However, it is also important to provide buyers with information about those products that is accurate and  
22 trustworthy, and that is not misleading about the qualities or characteristics of a product that make it environmentally  
23 friendly or "green." To sell products that are marketed with environmental claims on Amazon.com, you must ensure that the  
24 marketing claims you make on your product packaging and on your product detail page meet not only all federal laws such  
25 as the FTC's *Guides for the Use of Environmental Marketing Claims* (known as the "Green Guides"), but also all applicable  
26 state and local laws that regulate environmental claims. These laws include California's law restricting the use of  
27 compostable- and biodegradable-related claims on plastic products.

28 We're providing the following highlights from the FTC Green Guides and California's law on environmental claims to assist  
you in reviewing the environmental claims that you may make about your products. These highlights are not designed to be  
comprehensive. You should review the [FTC Green Guides](#) and other applicable laws, regulations, and guidelines, as you  
remain responsible for ensuring that the claims made about your products are fully compliant.

### 29 Highlights from the FTC Green Guides

- 30 • Avoid broad, general claims regarding a product's environmental benefits or qualities (ex., avoid "eco-friendly" or  
31 "environmentally friendly" or "green").
- 32 • All claims about a product's environmental benefits or qualities should be specific, and all qualifications (or limitations) to  
33 environmental claims must be specific, clear and prominently displayed (ex., "product is made from 20% recycled materials").
- 34 • Narrowly tailor environmental claims so as not to overstate the environmental benefits or qualities.
- 35 • Avoid making environmental claims if the environmental benefits or qualities are negligible.
- 36 • When making comparative environmental claims, the basis for the comparison must be clearly conveyed.
- 37 • Distinguish between products, packaging and services when making environmental claims (ex., packaging is 100%  
38 biodegradable).
- Avoid making compostable claims without qualification if the product cannot be composted at home safely or in a timely way.

- A general degradable or biodegradable claim should only be made if the entire product will completely break down and return to nature within a reasonably short period of time after customary disposal (or one year for solid waste products). If the product customarily ends up in landfills, incinerators, or recycling facilities, then a general biodegradable claim should not be made.
- An environmental claim that a product or packaging is made from recycled materials should accurately reflect the portion that is made from recycled materials (ex., "made from 20% recycled materials").
- Carefully consider certifications and seals and include the specific basis or environmental benefit for the certification whenever it is used. For questions regarding certifications, see <http://ftc.gov/os/2009/10/091005revisedendorsementguides.pdf>.

The FTC Green Guides also address other environmental claims, including: (1) Free-Of claims, (2) Non-Toxic claims, (3) Recyclable claims, (4) Renewable Energy claims, and (5) Renewable Materials claims. If you are making these or other environmental claims, please review the FTC Green Guides.

## California Law

- Plastic and bioplastic products sold into California can only be labeled as compostable, home compostable, or marine degradable if they meet the applicable ASTM standard or have the Vincotte OK Compost HOME certification. If your product meets the applicable ASTM or Vincotte standard, it should meet the additional labeling requirements as set forth by California law, and such information should be included on the product detail page.
- Plastic and bioplastic products sold into California may not be labeled as biodegradable, degradable, or decomposable, or imply that the plastic product will break down or decompose.
- Amazon will restrict the sale of plastic and bioplastic products labeled with these prohibited terms into California.
- If you are a seller of a plastic and bioplastic product that meets the applicable ASTM or Vincotte standard, Amazon may require that you provide proof demonstrating that your and bioplastic plastic product meets such standards.

## Additional Resources

- [FTC Green Guide Guidance](#)
- [California Public Resources Code Chapter 5.7 Plastic Products](#)
- [CalRecycle – Degradable Plastic Labeling Requirements](#)

47. The majority of the remanufactured ink cartridges listed and sold on Amazon make unsubstantiated environmental marketing claims violating both California and federal law. Plaintiff has demonstrated to Defendants that new built clone printer cartridges are being misrepresented with false claims that they are remanufactured products, and false use of recycling symbols, icons, and environmental verbiage to deceive consumers into believing they are buying a recycled or a recyclable product. Plaintiff demanded that Amazon act and remove these illegal and deceitful listings, to no avail.

48. The following are examples of common practices used to deceptively describe a product without any way to substantiate the environmental claim.

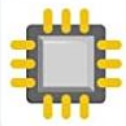
1 A) The seller MeetRGB's product slides in its Amazon listing  
2 makes an overstatement of its environmental attributes with a claim of using  
3 high-quality green materials and there is no way to substantiate this claim.  
4

5 < Back to results



VIDEO

# Advantages



## Latest chip

Provides accurate ink level tracking, while ensuring the optimal compatibility with different printers



## Premium ink

Special ink formulation not only produces high quality content, but also ensures long lasting printouts



## Green life

By carefully recycling and sorting empty original ink cartridge, then use high quality "green" materials in the remanufacturing process



Roll over image to zoom in

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B) Greencycle’s listing claims it reduces its carbon footprint by using remanufactured product. Plaintiff has verified Greencycle falsely labels new manufactured clone cartridges as remanufactured and sells them as environmentally friendly product.

**Recycle for a better world**  
Reducing carbon footprint by using remanufactured product

greencycle Re-Manufactured PG-245XL 245 XL CL-246XL CL-246 Ink Cartridge Compatible for Canon Pixma MX490 MG2525 MG2920 MG2922 MG2924 MG3020 MG3022 TS302 Printers (Black, 6 Pack; Tri-Color, 4 Pack)  
Visit the greencycle Store  
★★★★☆ 2 ratings

\$139<sup>95</sup>  
FREE delivery April 3 - 7. Details  
Deliver to Eric - Chatsworth 91311  
In Stock  
Qty: 1  
Add to Cart  
Buy Now

Secure transaction  
Ships from: Quicktoner  
Sold by: Quicktoner  
Returns: Eligible for Return, Refund or Replacement within 30 days of receipt  
Add to List

Have one to sell?  
Sell on Amazon

**Enhance your purchase**

**Payment plans**  
\$13.65/mo (12 mo) at example APR of 30% (rates from 10-30% APR)

|                       |                |
|-----------------------|----------------|
| Brand                 | Greencycle     |
| Page Yield            | 400            |
| Compatible Devices    | Printer        |
| Special Feature       | Tri Color      |
| Compatibility Options | Remanufactured |
| Color                 | Black          |

**About this item**

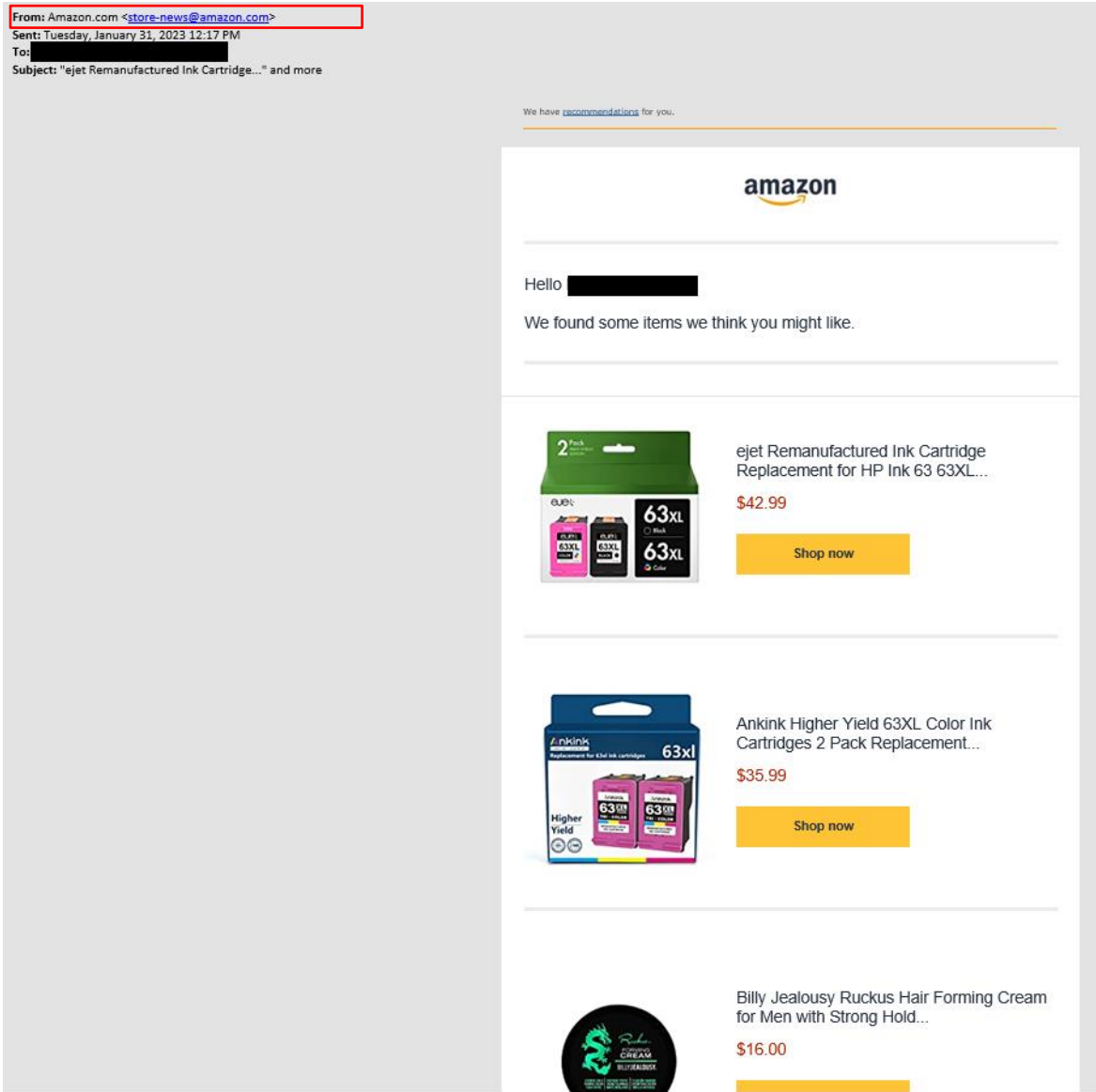
- Easy to install and use, compatible with your printer perfectly.
- GREFCYCL F remanufactured ink cartridge replacement for 245XL

Empty Ink Cartridges → Refurbished Refilling Testing → New Ink Cartridges  
Roll over image to zoom in

49. Amazon deploys a variety of advertising tools to reach and entice customers using sponsored ads, retargeting emails, and displaying ads which appear on search engines outside its platform. Amazon gathers customer data and search history to create promotional emails and search engine marketing content to drive traffic back to its website to induce customers to make purchases. In addition, Amazon has a special badge called Amazon’s Choice, which endorses products. Amazon’s advertising tools leave the impression products are being sold by Amazon making Defendants active sellers of the product.

50. Below are examples of content generated by Amazon’s advertising services that promote the sale of illicit products on its platform, through email, and search engines using customers’ digital information that only they hold.

1 A. The following is an Amazon-generated email customized for a customer  
2 based on data collected from their search. This email contains two of the  
3 illicit brands identified by Plaintiff:  
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26 B. Amazon is one of Google's biggest advertising clients, using search  
27 engine marketing to target customers off its own platform with  
28 advertisements to draw traffic to Amazon's website. Unlike other online



ecommerce platforms that sell third-party products, Amazon's advertisements do not differentiate themselves from the sellers on their platform. To the average consumer it appears Amazon is the seller of the product. Ejet is one of the brands that has been identified as one of the illicit brands of ink cartridges.

ejet Remanufactured Ink Cartridge Replacement for HP 63XL 63 XL to use with OfficeJet 3830 Envy 4520 4512 OfficeJet 4650 5255 Deskjet 1112 3634 3632

|   |         |
|---|---------|
|  Amazon.com - Seller                     | \$42.99 |
| ejet Remanufactured Ink Cartridge Replacement for HP Ink 63 63XL Ink Cartridges for HP Printers OfficeJet 3830 5255 5258... |         |
| Free delivery   |         |
|  eBay - nelagarments                     | \$60.48 |
| Ejet Remanufactured Ink Cartridge Replacement For Hp 63 Ink 63xl  |         |
| Free delivery   |         |

**Details**

|                                   |                       |
|-----------------------------------|-----------------------|
| <b>Color</b>                      | Multicolor            |
| <b>Brand</b>                      | E-Z Ink               |
| <b>Maximum Page Yield (Color)</b> | 63 page yield (color) |

Amazon.com is identified as a Seller for ejet Remanufactured ink cartridges. Whereas on eBay, the seller for the same cartridge is nelagarments

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Google Remanufacturer canon 245xl 246xl

Q All Images Maps Shopping More

Home Orders About Google Shopping

Clear all filters  
Chatsworth, Los Angeles, CA

Show only  
 Available nearby  
 On sale

Price  
 Up to \$25  
 \$25 - \$50  
 Over \$50  
\$ Min - \$ Max

Type  
 Inkjet Cartridges  
 Laser

Color  
 Multicolor  
 Black

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| <p>Folset Remanufactured Canon Ink PG-245XL CL-246XL 245 246 XL Inkjet PIXMA Mx492 ...<br/>4.0 ★★★★★ 6<br/>Inkjet · Multicolor</p> <p><b>\$31.99</b><br/>Amazon.com - Seller<br/>Free delivery<br/>Trusted store</p> | <p>Canon PG-245XL/CL-246XL Original Ink Cartridge/Paper Kit - Combo Pack - Black ...<br/>4.6 ★★★★★ 5,997<br/>Multipack · Inkjet</p> <p><b>\$56.00</b><br/>Walmart - OfficeCrave<br/>Free delivery</p> <p>Compare prices from 2 stores</p> | <p>Canon PG-245XL/CL-246XL Original Inkjet Ink Cartridge/Paper Kit - Combo ...<br/>4.6 ★★★★★ 5,997<br/>Multipack · Inkjet</p> <p><b>\$59.95</b><br/>eBay - ty_wholesale<br/>Free delivery by Tue, Mar 21</p> |
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Amazon.com portrays itself as a seller. Whereas the other online ecommerce platforms disclose the name of the actual seller on their platform.

|   |   |  |
|---|---|--|
| <p>Gayiga 245 246xl Plus Remanufactured Printer Ink Cartridge Replacement for Multicolor · Refilled</p> <p><b>\$49.99</b><br/>Walmart - Nanjingxionguandaokejy...<br/>Free delivery<br/>Trusted store</p> | <p>Inkworld Canon PG-245XL CL-246XL Remanufactured High Yield Ink Cartridge Compatible<br/>5.0 ★★★★★ 1<br/>Multicolor · Refilled</p> <p><b>\$29.58</b><br/>\$7.39 below typical<br/>Amazon.com - Seller<br/>Free delivery<br/>Trusted store</p> | <p>Valuetoner Remanufactured Ink Cartridge Replacement for Canon PG-245XL CL-246XL ...<br/>Inkjet · Multicolor</p> <p><b>\$96.81</b><br/>eBay - e_webster<br/>\$16.00 delivery</p> |
|---|---|--|

1 C. Defendants endorse products with their Amazon’s Choice Badge which  
 2 is content created by Amazon and placed on sponsored ads and on  
 3 product listings, endorsing products based on customer feedback,  
 4 highlighting ratings, price, popularity, availability, and delivery.  
 5 Amazon controls most of these metrics when a seller uses Amazon’s  
 6 Fulfillment services. In one of the examples below, Amazon endorses  
 7 seller FACms with its “Amazon’s Choice” badge, which was identified  
 8 by Plaintiff as misrepresented clone ink cartridges.

### More from frequently bought brands

Sponsored ⓘ

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**MUST-HAVE INK CARTRIDGES**

**Smart Chips**  
Intelligently recognize printers and record printed pages

**Well-Designed Package**  
Keep ink cartridge in safe

**Environmentally-Friendly**  
All Cartridges are recycle and reused

**FACms Remanufactured Canon 245XL Black Ink Replacement for Canon PG-245 PG-245XL PG 245XL 245 243 Ink Cartridge to use with Pixma MX492 MX490 MG2522 MG2520 MG2420 MG2920 MG2922 MG3022 Printer(2 Black)**

Brand: FACMS  
375 ratings | 8 answered questions  
**Amazon's Choice** for "facms canon 245xl black ink"

Was: \$34.99  
Deal Price: **\$29.74** (\$14.87 / Count)  
FREE Returns  
You Save: \$5.25 (15%)

Get a \$50 Gift Card: Pay \$0.00 \$29.74 upon approval for the Amazon Rewards Visa Card. No annual fee.

Brand: FACMS  
Page Yield: 400  
Compatible Devices: Printer  
Special Feature: To Go  
Compatibility: **Remanufactured, Compatible**  
Options: **Remanufactured, Compatible**  
Color: BLACK and BLACK

Ships from: Amazon  
Sold by: JonInk US  
Returns: Eligible for Return, Refund or Replacement within 30 days of receipt

1. Unsubstantiated environmental claims
2. False Advertising
3. Endorsed by Amazon and ships from Amazon

**Amazon's Choice**

Side by side comparison between an original Canon cartridges and an Amazon's Choice remanufactured ink cartridges.

Amazon is promoting a counterfeit remanufactured ink cartridge deceiving customers with their recommendation

Original Canon cartridge

The OEM cartridge has Canon imprinted on the core of the cartridge.

FACms cartridges

FACms cartridges do not have any OEM markings. The body is clearly different than the OEM. FACms cartridges are new built clone cartridge. FACms even uses different molds for its cartridges but list them as remanufactured deceiving customers.

D. Amazon’s Choice Brand endorsement is awarded to a deceptive product listing that violates Defendants’ own listing policies. Palmtree is one of the brands of illicit ink cartridges that Plaintiff identified.

Inspired by your browsing history

This screenshot shows four product recommendations from Amazon's 'Inspired by your browsing history' section. Each item includes an image, a title, a price, and shipping information.

- Ankink 246XL Ink Cartridge for Canon 246 CL-246 CL246 XL 246XL CL-244 244XL Color to Canon MX490 MX492...** Price: \$42.99. Shipping: FREE Shipping on orders over \$25 shipped by Amazon. Only 1 left in stock - order...
- Palmtree Compatible 245XL Ink Cartridge 2 Black Combo Pack Replacement for Cano...** Price: \$45.99 (\$23.00/Count). Shipping: FREE Shipping on orders over \$25 shipped by Amazon.
- The Original Donut Shop Regular, Single-Serve Keurig K-Cup Pods, Medium Roast Coffee Pods, 24 Count (Pack o...** Price: \$37.91 (\$0.39/Count). Shipping: FREE Shipping. Only 10 left in stock - orde...
- ColoWorld Remanufactured Ink Cartridge Replacement for Canon CL-246XL CL-244 246 XL (1 Color)...** Price: \$22.89. Shipping: FREE Shipping on orders over \$25 shipped by Amazon.

This is a detailed view of the Amazon product listing for the Palmtree Compatible 245XL Ink Cartridge. The listing includes a product image, a title, a price, and a detailed description.

**Product Title:** Palmtree Compatible 245XL Ink Cartridge 2 Black Combo Pack Replacement for Canon PG 245 243 XL Higher Yield for PIXMA MX490 MX492 MG2922 MG2522 MG2520 MG2920 TS3100 TS3122 TS3300 TR4500 TR4520 Printer

**Price:** \$39.99 (\$20.00 / Count)

**Model Name:** for canon pixma mx490 ink cartridges

**Brand:** Palmtree

**Ink Color:** 2 Black for Canon PG 245/4 black ink cartridge

**Page Yield:** 400

**Compatible Devices:** Printer

**Special Feature:** Compatible

**Compatibility Options:** Compatible

**About this item:**

- Product Name: This is compatible ink replacement for Canon 245/4 ink cartridges
- Package Contents: 2 Black of compatible remanufactured ink cartridges for Canon pg 245/4
- Page Yield: Up to 400 pages for Canon pg-245 xl 245 xl black ink cartridges
- 245 ink cartridges compatible With: for Canon Pixma MX490 MX492 MG2420 MG2450 MG2520 MG2522 MG2525 MG2555 MG2560 MG2620 MG2922 MG2924 MG2950 MG3020 MG3022 MG3028 TS3202 TS3302 TS3120 TS3122 TR4520 TR4522 PR3820 printer ink cartridges
- Reliable quality: Each ink cartridges 245 and 246 for Canon printers experience a strict quality testing procedure to ensure compatibility with your printer and quality printout
- Easy to install: All Canon PG-245/4 CL-246/4 ink cartridge combo pack has undergone strict inspections to ensure that each product is perfectly compatible with your printer
- Please Note: Please confirm your Printer Model before placing an order. Make sure your printer use PG245XL CL246XL and PG243XL CL244XL ink cartridges, not other ink cartridge

Amazon’s Choice Badge is awarded to a deceptive product listing that violates Amazon’s own listing policies.

Palmtree brand claims it is a “compatible,” what Amazon defines in its listing policy as a new built cartridge. The image of the cartridge clearly makes the claim it is “remanufactured.” This is deceptive to the consumer and a misrepresentation of the character of a remanufactured ink cartridge.

Amazon edits Palmtree’s customer reviews that do not relate to its fulfillment services, striking-out negative feedback for product quality issues, manipulating performance metrics and ratings. This helps Palmtree’s metrics to receive Amazon’s endorsement.

Palmtree Reviews



~~“The black ink does not work. I did check it with another ink cartridge and it’s not due to my printer not working.”~~

~~By Drew Martin on February 19, 2023.~~

~~Message from Amazon: This item was fulfilled by Amazon, and we take responsibility for this fulfillment experience.~~



~~“The color ink cartage malfunction and caused my printer to shut down ”~~

~~By gary swor on February 17, 2023.~~

~~Message from Amazon: This item was fulfilled by Amazon, and we take responsibility for this fulfillment experience.~~



~~“Receive an “incompatible cartridge” error message. Cannot use in my HP Officejet 5258 ”~~

~~By T. Germusa on January 25, 2023.~~

~~Message from Amazon: This item was fulfilled by Amazon, and we take responsibility for this fulfillment experience.~~

Amazon Awards its Amazon’s Choice endorsement based on customer feedback which includes ratings, product availability, and fast delivery, criteria Amazon can unfairly manipulate when product is handled through its FBA services.

51. Of course, these are just a few examples of the ways in which Amazon holds itself out to consumers as the seller of misrepresented clone printer ink cartridges, generates content describing them and disseminates those descriptions, including through communications outside its websites (*i.e.*, email and third-party platforms). As Amazon itself proclaims, “We don’t just build systems, we build trust. At any given moment millions of Amazon customers around the world rely on us to serve up the most up-to-date and complete product information.”

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## Reimbursements

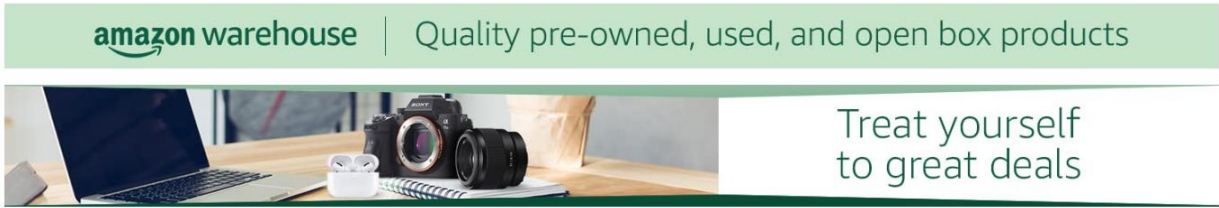
If we determine that your reimbursement claim is valid, we will replace the lost or damaged item with a new item of the same FNSKU or we will reimburse you for it.

If a reimbursement was made in error, or if a reimbursed item is later found and returned to your inventory, Amazon reserves the right to reverse the reimbursement credit that was applied to your account.

We may dispose of any item for which we reimburse you under this policy, including by selling it. As a result, such items — including lost items that are found after reimbursement — may be listed for sale on Amazon Warehouse or other channels.

52. When a seller uses Amazon’s FBA services, Amazon processes the return and can determine if the product can be placed back into inventory for resale. Outlined in Amazon’s Reimbursements policy below, if Defendants reimburse a seller for any damaged, lost or returned product, Defendants can dispose of any item or sell it on the Amazon Warehouse, listed as “Sold by Amazon Warehouse and Fulfilled by Amazon.”

53. Amazon Warehouse offers deals on quality used, pre-owned, or open box products. Defendants claim, “For each used product we sell, we thoroughly test the condition of the item and provide detailed descriptions to make it easier for you to make a decision.”



### Frequently Asked Questions

#### What is Amazon Warehouse?

Amazon Warehouse offers great deals on quality used, pre-owned, or open box products. With all the benefits of Amazon fulfillment, customer service, and returns rights, we provide discounts on used items for customer favorites: such as smartphones, laptops, tablets, home & kitchen appliances, and thousands more. For each used product we sell, we thoroughly test the condition of the item and provide detailed descriptions to make it easier for you to make a decision.

Looking for great discounts on some of your favorite items? Or prefer buying used because it is better for the environment? Discover Amazon Warehouse used offers via our storefront, search bar, or on product detail pages.

#### How do you evaluate a product's condition?

All of our products go through a quality check by us prior to being sold. We thoroughly test the functional and physical condition of each item and give the product a specific grade before selling it. We also inspect our products for missing accessories and packaging damage. Based on our quality check, each item will be assigned one of the four evaluations to describe its overall condition: “Like New”, “Very Good”, “Good”, and “Acceptable”.

#### How can I understand a product's condition?

Since each item is unique, we use detailed descriptions to help you better understand the item condition, by describing its appearance, functional qualities, accessories and packaging condition. We provide all the detailed information on the product condition right on the product detail page, to help you make your decision. Depending on the item condition, you will find that some items have even deeper

54. Below are examples of identified illicit brands of ink cartridges that were purchased by Plaintiff, sold by Amazon Warehouse and fulfilled by Amazon.

**Selyaha Remanufactured Ink Cartridge Replacement for Canon PG 245XL, Compatible with PIXMA MG2520 MG2924 MG2420 MG2522 MG2525 MG3020 MG2555 MX490 MX492 Printer**

FREE Returns  
Available at a lower price from other sellers that may not offer free Prime shipping.

Only 1 left in stock - order soon

Size 2 x Black  
Brand Selyaha  
Ink Color 2 Black  
Page Yield 300

Compatible Devices Wireless  
Special Feature Remanufactured  
Compatibility Options Color 2 Black

Buy used: \$51.85  
FREE delivery Monday, March 27  
Or fastest delivery Thursday, March 23. Order within 2 hrs 11 min

Used - Like New (Details)  
Sold by Amazon Warehouse  
Fulfilled by Amazon

Add to Cart

Add to List

New & Used (5) from \$31.99 & FREE Shipping

Have one to sell? Sell on Amazon

amazon business | Your Account | Amazon.com

Order Confirmation  
Order #114-9543806-5197854  
PO# sean

Hello Sean Levi,  
Thank you for shopping with us. We'll send a confirmation once your item has shipped. Your order details are indicated below. The payment details of your transaction can be found on the order invoice. If you would like to view the status of your order or make any changes to it, please visit Your Orders on Amazon.com.

This order is placed on behalf of DoorStepInk.

Your guaranteed delivery date is **Monday, March 27**. Your order will be sent to **CHATSWORTH, CA United States**

Your shipping speed: **FREE Shipping**

Order Details

Order #114-9543806-5197854  
Placed on today, March 21

Selyaha Remanufactured Ink Cartridge Replacement for Canon PG 245XL, Compatible with PIXMA MG2520 MG2924 MG2420 MG2522 MG2525 MX490 MX492 Printer  
Electronics  
Sold by Amazon.com Services LLC  
Condition: Used - Like New  
Moderate packaging damage. See more

Order Total: \$34.85

To learn more about ordering, go to [Ordering from Amazon.com](#).  
If you want more information or need more assistance, go to [Help](#).

Thank you for shopping with us.  
Amazon.com

**64XL Ink Cartridge Combo Pack Compatible for HP 64 XL Ink Cartridge Replacement for HP ENVY Photo 7855 7858 6255 7155 7120 6252 7164; Envy 5542 Printers (1 Black, 1 Tri-Color)**

FREE Returns  
Available at a lower price from other sellers that may not offer free Prime shipping.

Only 1 left in stock - order soon

Color: for HP-64-181C  
Brand JANMORE  
Page Yield 600  
Compatible Devices Printer  
Special Feature Tri Color  
Compatibility Options Compatible  
Color For HP-64-181C

Buy used: \$43.13  
FREE delivery Monday, March 27  
Or fastest delivery Thursday, March 23. Order within 1 hr 37 min

Used - Like New (Details)  
Sold by Amazon Warehouse  
Fulfilled by Amazon

Add to Cart

Add to List

New & Used (5) from \$43.99 & FREE Shipping

Have one to sell? Sell on Amazon

Consider a similar item  
E5-Pack Larger Capacity 5 9500 9510 Ink Cartridge Combo Pack, Replacement for HP 950 951 Ink Cartridges, High Page Yield, Works with HP as Part #800,8610,8620,8625,Printer [2387/C/36719]  
\$30.59 (\$6.12/count) - Prime  
Climate Pledge Friendly

Your Amazon.com order of "64XL Ink Cartridge Combo...".

Amazon.com <auto-confirm@amazon.com>  
To Sales DoorStepInk

amazon business | Your Account | Amazon.com

Order Confirmation  
Order #114-8110157-0591462  
PO# sean

Hello Sean Levi,  
Thank you for shopping with us. We'll send a confirmation once your item has shipped. Your order details are indicated below. The payment details of your transaction can be found on the order invoice. If you would like to view the status of your order or make any changes to it, please visit Your Orders on Amazon.com.

This order is placed on behalf of DoorStepInk.

Your guaranteed delivery date is **Monday, March 27**. Your order will be sent to **CHATSWORTH, CA United States**

Your shipping speed: **FREE Shipping**

Order Details

Order #114-8110157-0591462  
Placed on today, March 21

64XL Ink Cartridge Combo Pack Compatible for HP 64 XL Ink Cartridge Replacement for HP Envy Photo 7855 7858 6255 7155 7120 6252 7164; Envy 5542 Printers (1 Black, 1 Tri-Color)  
Electronics  
Sold by Amazon.com Services LLC  
Condition: Used - Like New  
Moderate packaging damage. See more

Order Total: \$47.23

To learn more about ordering, go to [Ordering from Amazon.com](#).  
If you want more information or need more assistance, go to [Help](#).

Thank you for shopping with us.  
Amazon.com



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**GREENBOX Remanufactured Ink Cartridge 61XL Replacement for HP 61XL 61 XL for HP Envy 4500 5530 5534 5535 Deskjet 1000 1056 1010 1510 1512 2540 3050 Officejet 2620 Printer (1 Black 1 Tri-Color)**

Brand: GREENBOX  
 7,609 ratings | 83 answered questions

**\$12.52** (16.24 / Count)

FREE Returns - Available at a lower price from other sellers that may not offer Free Prime shipping.

Only 1 left in stock - order soon

Brand: GREENBOX  
 Ink Color: 1 Black, 1 Tri-Color  
 Page Yield: 715  
 Compatible Devices: HP Deskjet 1000 1010 1012 1018 1510 1512 1056 1056A 1051 1055 1056 1511 1513 1514 2050 2010 2012 2014 2040 2140 2142 2144 2240 2242 2244 2540 2542 2544 2546 2548 2549 2549A 2549B 2549C 2549D 2549E 2549F 2549G 2549H 2549I 2549J 2549K 2549L 2549M 2549N 2549O 2549P 2549Q 2549R 2549S 2549T 2549U 2549V 2549W 2549X 2549Y 2549Z 2549AA 2549AB 2549AC 2549AD 2549AE 2549AF 2549AG 2549AH 2549AI 2549AJ 2549AK 2549AL 2549AM 2549AN 2549AO 2549AP 2549AQ 2549AR 2549AS 2549AT 2549AU 2549AV 2549AW 2549AX 2549AY 2549AZ 2549BA 2549BB 2549BC 2549BD 2549BE 2549BF 2549BG 2549BH 2549BI 2549BJ 2549BK 2549BL 2549BM 2549BN 2549BO 2549BP 2549BQ 2549BR 2549BS 2549BT 2549BU 2549BV 2549BW 2549BX 2549BY 2549BZ 2549CA 2549CB 2549CC 2549CD 2549CE 2549CF 2549CG 2549CH 2549CI 2549CJ 2549CK 2549CL 2549CM 2549CN 2549CO 2549CP 2549CQ 2549CR 2549CS 2549CT 2549CU 2549CV 2549CW 2549CX 2549CY 2549CZ 2549DA 2549DB 2549DC 2549DD 2549DE 2549DF 2549DG 2549DH 2549DI 2549DJ 2549DK 2549DL 2549DM 2549DN 2549DO 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Special Feature: Tri-Color  
 Compatibility Options: Remanufactured, Compatible  
 Color: 1 Black 1 Tri-Color

**About this item**

- Compatible With: HP Envy 4500 4502 5530 5534 5535 4501 4503 4504 4505 4506 4509 4509 5531 5533 5535 HP Officejet 1000 1010 1012 1018 1510 1512 1056 1056A 1051 1055 1056 1511 1513 1514 2050 2010 2012 2014 2040 2140 2142 2144 2240 2242 2244 2540 2542 2544 2546 2548 2549 2549A 2549B 2549C 2549D 2549E 2549F 2549G 2549H 2549I 2549J 2549K 2549L 2549M 2549N 2549O 2549P 2549Q 2549R 2549S 2549T 2549U 2549V 2549W 2549X 2549Y 2549Z 2549AA 2549AB 2549AC 2549AD 2549AE 2549AF 2549AG 2549AH 2549AI 2549AJ 2549AK 2549AL 2549AM 2549AN 2549AO 2549AP 2549AQ 2549AR 2549AS 2549AT 2549AU 2549AV 2549AW 2549AX 2549AY 2549AZ 2549BA 2549BB 2549BC 2549BD 2549BE 2549BF 2549BG 2549BH 2549BI 2549BJ 2549BK 2549BL 2549BM 2549BN 2549BO 2549BP 2549BQ 2549BR 2549BS 2549BT 2549BU 2549BV 2549BW 2549BX 2549BY 2549BZ 2549CA 2549CB 2549CC 2549CD 2549CE 2549CF 2549CG 2549CH 2549CI 2549CJ 2549CK 2549CL 2549CM 2549CN 2549CO 2549CP 2549CQ 2549CR 2549CS 2549CT 2549CU 2549CV 2549CW 2549CX 2549CY 2549CZ 2549DA 2549DB 2549DC 2549DD 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- Package Contents: 2 Pack Remanufactured Ink Cartridge Replacement for hp 61XL ink cartridges - 61 XL 1 Black 1 Tri-Color
- Page Yield: 450 Pages per GREENBOX 61XL color ink cartridge
- Page Yield: 715 Pages per GREENBOX 61XL black ink cartridge
- High quality ink cartridges can provide clear text and graphics, print the color offset you want on the

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|  | GREENBOX Remanufactured Ink Cartridge 61XL Replacement for HP 61XL 61 XL for HP Envy 4500 5530 5534 5535 Deskjet 1000 1056 1010 1510 1512 2540 3050 Officejet 2620 Printer (1 Black 1 Tri-Color) | <b>\$32.52</b> |
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**INKNI Remanufactured Ink Cartridge Replacement for HP 63XL 63 XL for Envy 4520 4512 4516 OfficeJet 3830 4650 (Black, Color, 2-Pack)**

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 1,649 ratings

**\$25.90** (12.95 / Count)

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Only 1 left in stock - order soon

Brand: INKNI  
 Page Yield: 480  
 Compatible Devices: Printer  
 Special Feature: High Yield  
 Compatibility Options: Remanufactured  
 Color: 63XL BLACK CYAN MAGENTA YELLOW

**About this item**

- Compatible With: HP ENVY 4520 4510 4511 4512 4513 4516 4517 4521 4522 4523 4524 4525; HP Officejet 3830 3831 3832 3833 3834 4650 4651 4652 4653 5200 5220 5232 5230 5232 5252 5255 5258 5260 5264 4650 Printer
- Compatible With: HP Deskjet 1110 1112 2130 2131 2132 2133 2134 3630 3631 3632 3633 3634 3635 3637 3639 Printer
- Contents: 63XL Combo Pack Remanufactured Ink Cartridge Replacement for hp 63XL ink cartridges - 63 XL 1 Black 1 Tri-Color
- Page Yield: 480 Pages per 63 black cartridges / 130 Pages per 63 tri-color cartridges

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|--|---|----------------|
|  | INKNI Remanufactured Ink Cartridge Replacement for HP 63XL 63 XL for Envy 4520 4512 4516 OfficeJet 3830 4650 (Black, Color, 2-Pack) | <b>\$25.90</b> |
| Condition: Used - Like New<br>Item will come in original. See more |   |                |
| <b>Order Total:</b>  |   | <b>\$28.36</b> |

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| Your guaranteed delivery date is:<br><b>Monday, March 27</b> | Your order will be sent to:<br>[REDACTED]<br><b>CHATSWORTH, CA</b><br>United States |
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|---|----------------|
| Valuetoner Supply Ink Cartridges Replacement for Canon 275XL 275 XL PG-275 XL PG275 Black Ink Cartridge to use with Canon TS3522 TS3520 TR4720 TR4722 Printer (2 Black) | <b>\$42.44</b> |
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55. As demonstrated above, sellers on Amazon use deceptive advertising and make unsubstantiated environmental claims regarding their products, and Defendants participate in the selling process, promotion, distribution, and dissemination of deceptively described and falsely labeled remanufactured printer ink cartridges.

56. Defendants are catalog marketers. Catalog marketing is a form of direct marketing in which consumers or business customers select and order products directly from a printed or online catalog, rather than a retail outlet. Defendants offer millions of products broken down in different categories in their online store to sell its many product offerings to consumers at any given time. As an online catalog store, Defendants bear responsibility for verifying the advertising claims and product authenticity of its third-party sellers.

57. Defendants are an advertising agency. Described in their own Amazon

1 Advertising agreement they “govern Customer’s access to and use of the Ad  
2 Services, including the Advertising Console, and is made among Amazon,  
3 Customer, and each Advertiser. Defendants per its advertising agreement “may  
4 also reject or remove any Customer Materials or suspend any Campaign if: (a) the  
5 Customer Materials or Campaign violates the Ad Policies or this Agreement; (b)  
6 your account has been, or our controls identify that it may be used for deceptive or  
7 fraudulent or illegal activity; (c) Amazon believes the Customer Materials or  
8 Campaign would expose Amazon to liability; or (d) for other risk management  
9 reasons.” Plaintiff identified ink cartridges falsely advertising themselves and  
10 Defendants continued to disseminate the false information through its Advertising  
11 services both on and off its platform.

12 58. While Defendants claim immunity under 47 U.S.C. § 230, this  
13 contention fails, among other reasons, because it ignores their exposure for  
14 violating Section 5 of the Federal Trade Commission Act (FTC Act) (15 U.S.C.  
15 45), which prohibits "unfair or deceptive acts or practices in or affecting  
16 commerce." The prohibition applies to all persons engaged in commerce, including  
17 banks. Under Section 5 of the FTC Act, “third parties - such as advertising  
18 agencies or website designers and catalog marketers - also may be liable for  
19 making or disseminating deceptive representations if they participate in the  
20 preparation or distribution of the advertising or know about the deceptive claims.”<sup>3</sup>  
21 Defendants, in creating listing policies for selling ink and toner as described  
22 herein, clearly distinguish between a “remanufactured” and a “compatible” ink  
23 cartridge. In making this distinction, Defendants must know that any seller listing a  
24 product as a “remanufactured printer cartridge” would need to verify their  
25 cartridges are remanufactured from an empty OEM cartridges core to make such a  
26 claim, or otherwise risk liability for the promotion, sale, and distribution of a

27  
28 <sup>3</sup> Federal Trade Commission Bureau of Consumer Protection, Advertising and Marketing on the Internet, Rules of the Road, p.2 (Sept. 2000); [https://www.ftc.gov/system/files/ftc\\_gov/pdf/bus28-rulesroad-2023\\_508.pdf](https://www.ftc.gov/system/files/ftc_gov/pdf/bus28-rulesroad-2023_508.pdf)

1 deceptively advertised product.

2 59. With direct participation in the sales and promotion processes,  
3 Amazon bears responsibility for the advertising, sale and distribution of illicit  
4 clone ink cartridges that have been destructive to the environment and continue to  
5 harm the remanufacturing printer cartridge market, including Plaintiff. Amazon is  
6 undercutting legitimate remanufactured cartridge sales while simultaneously  
7 devaluing used OEM cartridge cores to the point that it is no longer cost effective  
8 to collect, recycle and remanufacture them. This deceitful business practice  
9 directly harms Plaintiff while creating enormous amount of printer cartridge waste  
10 in the United States. If allowed to continue, the inevitable results will be Plaintiff's  
11 loss of its entire business, the annihilation of the printer cartridge remanufacturing  
12 industry, an increase in plastic pollution, and consumers will no longer have a low-  
13 cost, environmentally friendly option for print-consumable products.

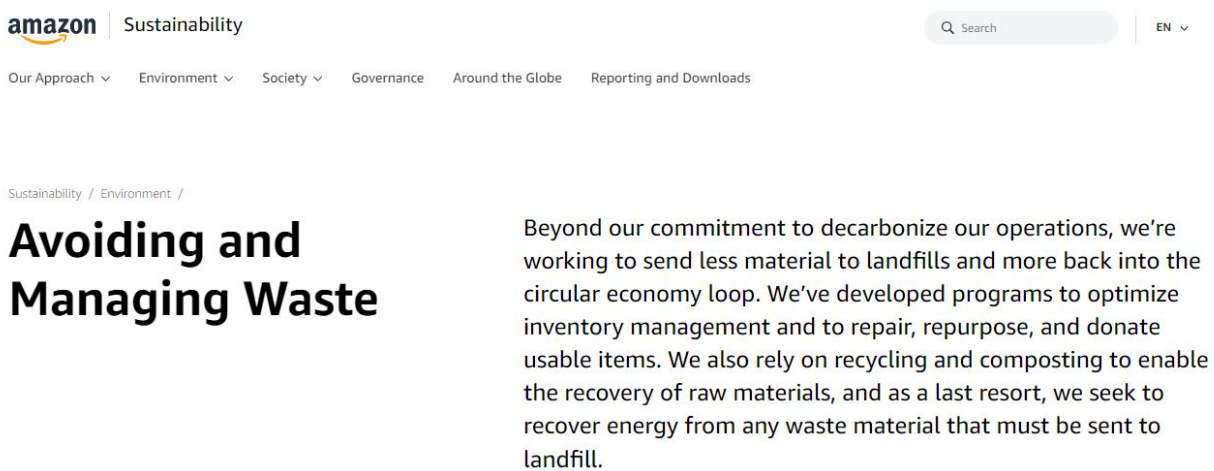
14 60. Without a legitimate printer cartridge remanufacturing industry,  
15 consumers, recyclers, taxpayers, and the environment will continue to bear the cost  
16 of handling the plastic waste.

17 61. Before the sale of illicit printer cartridges, there was a vast market for  
18 remanufacturers to obtain empty OEM cartridge cores to remanufacture. In the  
19 United States there were thousands of cartridge brokers and electronic waste  
20 recyclers collecting and selling used printer cartridges to remanufacturers for  
21 upwards of \$32 per empty OEM cartridge core. Today, most if not all printer  
22 cartridge brokers are no longer in business and electronic waste recycling  
23 companies are avoiding collecting used printer cartridges as they have no monetary  
24 value and are considered waste. By contrast, Plaintiff receives more aftermarket  
25 single-use clone printer cartridge waste through its recycling collection services  
26 than viable used OEM cartridge cores to remanufacture, creating a substantial  
27 expense to handle material. Plaintiff made it clear to Defendants that they bear  
28 responsibility for selling and facilitating the sale of single-use clone printer

1 cartridges, contributing to millions of plastic cartridges ending up in United States  
2 landfills each year. Plaintiff provided the following images to Defendants to  
3 illustrate the massive amount of printer cartridge waste it continually accumulates.  
4



1           62. Amazon states “it is committed to and invested in sustainability  
2 because it’s a win for the planet, for business, for its customers, and for  
3 communities.” Yet, Defendants do not take any responsibility for millions of  
4 imported clone printer cartridges sold on their platform that are neither recycled  
5 nor recyclable. By contrast, OEM printer manufacturers offer a free “take back”  
6 recycling program to reclaim their used cartridges. Below is a screenshot of  
7 Amazon’s stated commitment of “working to send less material to landfills and  
8 more back into the circular economy loop.” Defendants’ conduct is diametrically  
9 opposed to its purported commitment and constitutes “greenwashing” plastic  
10 printer cartridge waste they are responsible for selling, as well as destroying the  
11 remanufacturing industry, which plays a vital role for recycling cartridge waste in a  
12 circular economy.



1           63. This action seeks to stop Amazon's direct and complicit behavior,  
2 which has caused significant damage to Plaintiff. Plaintiff brings this action under  
3 federal, state and/or common law and seeks damages and injunctive relief arising  
4 out of the Lanham Act for false advertising and false association and designation  
5 of origin or approval, California Business and Professions Code section 17200, *et*  
6 *seq.*, for unfair competition, false advertising, misleading environmental claims  
7 and deceptive practices, and for violation of California Business and Professions  
8 Code section 17500 for false advertising.

9           64. It is well documented that Amazon is plagued with counterfeit  
10 products. They have an anti-counterfeiting policy. Defendants created a Brand  
11 Registry to protect intellectual, copyright and trademark property rights.  
12 Defendants created their own Amazon Crime Unit (ACU) whose mission is to  
13 pursue counterfeiters worldwide. Conversely, when Plaintiff notified Defendants in  
14 great detail that their ecommerce platform is overrun with illicit printer cartridges,  
15 Defendants' efforts to halt the flow of millions of illegal products distributed from  
16 their warehouses across the United States can be described as meager at best.  
17 When illegal products are sold on Amazon, millions of consumers and businesses  
18 worldwide suffer while Defendants profit handsomely, adding to their multi-  
19 billion-dollar annual revenue and reported trillion-dollar valuation. Rather than  
20 enforcing their own policies and stopping the sale of these deceptively promoted  
21 products, Defendants facilitate their sales for profit. Defendants' failure to enforce  
22 their own policies, allowing sellers, and Defendants as sellers themselves, to easily  
23 circumvent their own rules, in violation of federal and state law.

24           65. The proliferation of illicit clone ink cartridges defrauds millions of  
25 customers by deceiving them into believing they are purchasing recycled products.  
26 The unlawful sale of new built clone printer cartridges labeled as remanufactured  
27 causes irreparable harm to legitimate remanufacturers who are committed to  
28 selling actual recycled ink cartridges to resellers worldwide. The sale of illicit



1 clone ink cartridges is an enormous problem with a wide-spread negative impact.  
2 Amazon is not only aware of the problem of fraudulent or unlawful activities of  
3 sellers and warns its investors that Amazon itself may be held liable for them in its  
4

5 *We Could Be Liable for Fraudulent or Unlawful Activities of Sellers*

6 The law relating to the liability of online service providers is currently unsettled. In addition, governmental agencies could require changes in the way this business is  
7 conducted. Under our seller programs, we may be unable to prevent sellers from collecting payments, fraudulently or otherwise, when buyers never receive the products they ordered  
8 or when the products received are materially different from the sellers' descriptions. We also may be unable to prevent sellers in our stores or through other stores from selling  
9 unlawful, counterfeit, pirated, or stolen goods, selling goods in an unlawful or unethical manner, violating the proprietary rights of others, or otherwise violating our policies. Under  
10 our A2Z Guarantee, we reimburse buyers for payments up to certain limits in these situations, and as our third-party seller sales grow, the cost of this program will increase and  
11 could negatively affect our operating results. In addition, to the extent any of this occurs, it could harm our business or damage our reputation and we could face civil or criminal  
12 liability for unlawful activities by our sellers.

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2018 10-K filing (pg. 14), but they condone it and conspire with sellers in order to  
make huge profits. Below is a screenshot from the 10-K report warning of liability  
concerns:

66. On January 24, 2023, Defendants' in-house counsel indicated that  
Defendants are committed to protecting Amazon customers and ensuring the  
integrity of its platform. Counsel wrote that Defendants were requesting that sellers  
of clone cartridges substantiate their claims about their products being  
remanufactured and would take action as appropriate based on that information.  
On May 25, 2023, Plaintiff and Defendants met via Zoom. Defendants stated  
during the meeting that they had asked sellers to substantiate their claims about  
selling remanufactured and environmentally responsible ink cartridges. Third-party  
sellers who couldn't substantiate their product claims were instructed to change  
their product listings. However, sellers were allowed to continue to sell regardless  
of their history of defrauding consumers, and they were not suspended for falsely  
using the recycling logo on newly manufactured products, in violation of federal  
and state law. Below are before and after examples of listings by Sellers who were  
instructed by Defendants to change their product listings.

Office Products › Office Electronics › Printers & Accessories › Printer Parts & Accessories › Printer Ink & Toner › Inkjet Printer Ink



**Sellyaha Remanufactured Ink Cartridge Replacement for Canon PG-245XL CL-246XL Compatible with Canon PIXMA IP2820 MG2420 MG2520 MG2522 MG2525 MG2555 MG2920 MG2922 MG2924 MG3020 MX490 MX492 Printer**

Visit the Sellyaha Store  
★★★★★ 1,020 ratings | 9 answered questions

Price: **\$35.99** (\$18.00 / Count) & FREE Returns

Available at a lower price from other sellers that may not offer free Prime shipping.

Size: **1 Black 1 Tricolor**

|                               |                    |   |   |
|-------------------------------|--------------------|---|---|
| 1 Black<br>\$26.99            | 1 Color<br>\$22.99 | <b>1 Black 1 Tricolor<br/>\$35.99<br/>(\$18.00 / Count)</b> | 2 x Black<br>\$33.99<br>(\$17.00 / Count) |
| 2 Black 1 Tricolor<br>\$55.99 |                    |   |   |

Brand Sellyaha  
Page Yield 400  
Compatible Devices Printer  
Special Feature Wireless  
Compatibility Options **Remanufactured**  
Color Black

**About this item**

- Contents --- 2 Packs of **Remanufactured ink cartridges** for Canon PG-245XL 246XL(1 Black, 1 Tri-Color).
- Compatible Printer Model --- Compatible with Canon Pixma IP2820, Pixma MG2420, Pixma MG2520,

**One-time purchase:**  
\$35.99 (\$18.00 / Count) & FREE Returns

FREE delivery **Tuesday, August 30**

Or fastest delivery **Tomorrow, August 25.** Order within 2 hrs 34 mins

Select delivery location

**In Stock.**

Qty: 1

**Add to Cart**

**Buy Now**

Secure transaction

Ships from **Amazon**

Sold by SELLYAHA INFOT...

Details

Return policy: Eligible for Return, Refund or Replacement within 30 days of receipt

**prime**

Enjoy fast, FREE delivery, exclusive

Listing was captured on 8.24.22. Sellyaha was claiming to be a "Remanufactured" product and fulfilled by Amazon.



**Sellyaha Ink Cartridge Replacement for Canon PG-245XL CL-246XL Compatible with Canon PIXMA IP2820 MG2420 MG2520 MG2522 MG2525 MG2555 MG2920 MG2922 MG2924 MG3020 MX490 MX492 Printer**

Visit the Sellyaha Store  
4.3★★★★★ 1,044 ratings | 9 answered questions

**Amazon's Choice** for "sellyaha"

Price: **\$34.99** (\$17.50 / Count) & FREE Returns

Thank you for being an Amazon customer. Get \$50 off: Pay \$0.00 \$34.99 upon approval for Amazon Visa.

Size: **1 Black 1 Tricolor**

|   |   |  |
|---|---|--|
| <b>1 Black 1 Tricolor<br/>\$34.99<br/>(\$17.50 / Count)</b> | 2 x Black<br>\$33.99<br>(\$17.00 / Count) | 2 Black 1 Tricolor<br>\$48.99<br>(\$16.33 / Count) |
|---|---|--|

Brand Sellyaha  
Ink Color Tricolor, Black  
Page Yield 300  
Compatible Devices Pixma TR4520, Pixma TR4522, MX490, MX492, IP2820, MG2420, MG2520, MG2522, MG2525, MG2920, MG2922, MG2924, MG3020, MG3022,...

Special Feature Wireless  
Compatibility Options **Remanufactured**, Compatible  
Color Black

**About this item**

- Contents --- 2 Packs ink cartridges for Canon PG-245XL 246XL(1 Black, 1 Tri-Color).
- Compatible Printer Model --- Compatible with Canon Pixma IP2820, Pixma MG2420, Pixma MG2520, Pixma MG2522, Pixma MG2920, Pixma MG2922, Pixma MG2924, Pixma MX490, Pixma

Add your 30-day FREE trial of Prime and get fast, free delivery

Delivery Pickup

**One-time purchase:**  
\$34.99 (\$17.50 / Count)

FREE Returns

FREE delivery **Monday, July 17**

Or fastest delivery **Tomorrow, July 11.** Order within 10 hrs 41 mins

Deliver to Eric - Chatsworth 91311

**In Stock**

Qty: 1

**Add to Cart**

**Buy Now**

Payment Secure transaction  
Ships from Amazon  
Sold by SELLYAHA INFOTECH  
Returns Eligible for Return, Refund or Replacement within 30 days of receipt

Add a gift receipt for easy returns

**Subscribe & Save:**  
\$34.99 (\$17.50 / Count)  
First delivery on Jul 17  
Ships from Amazon  
Sold by SELLYAHA INFOTECH

**Add to List**

Listing was captured on 7.10.23. Sellyaha changed its title and some of the description removing most claims about being "remanufactured," but still mentions remanufactured in the listing. In addition to being aware this brand makes false claims about its product, Amazon endorse it with its Amazon's Choice badge. An endorsement that is only available for FBA customers.

67. Contrary to Defendants' statements about protecting its customers and taking the allegations seriously, Defendants protected the offending selling partners instead of suspending them for the fraud that was being perpetrated on its customer and the harm it was causing the Plaintiff. Amazon was obviously more

1 concerned with protecting its profits from the distribution, sale, advertisement,  
2 fulfillment, and logistics services associated with these illicit clone ink cartridges.  
3 The fact the Defendants instructed illicit sellers to change their description further  
4 illustrates how actively Amazon is involved in creating listings and promotional  
5 content as a partner of the sellers. It also reveals Amazon's willingness to allow  
6 sellers who have defrauded consumers for years to continue to escape  
7 responsibility and to continue selling clone cartridges and misrepresenting them.

8         68. Plaintiff seeks to enjoin Amazon's sale of the illicit ink cartridges,  
9 recover actual and statutory damages, a disgorgement of Defendants' profits, and  
10 other relief, including attorneys' fees and costs. Plaintiff also seeks a recall of all  
11 the illicit ink cartridges sold by Amazon along with distribution of a notice to all  
12 affected customers that they received counterfeit, non-recyclable, new  
13 manufactured ink cartridges. Plaintiff seeks this relief because Amazon should be  
14 held accountable for facilitating the product dumping of inauthentic  
15 remanufactured ink cartridges, undercutting legitimate remanufactured cartridges,  
16 tarnishing remanufactured products' reputation by allowing the false labeling and  
17 deceptive advertising to take place, and defrauding unsuspecting customers that  
18 they were purchasing a recycled product.

19         69. Inasmuch as Defendants receive, store, pick, pack, ship, and deliver  
20 the illicit ink cartridges to customers, as well as handle transactions, returns, and  
21 respond to customer feedback, they have become part of the chain of distribution.

22         70. The list of items available on Defendants' website – also known as the  
23 Amazon catalog – is vast. Sellers offer their products for sale in a wide range of  
24 categories so that customers are able either to search for specific items or to  
25 browse through departments. Defendants have put in place restrictions, guidelines  
26 and policies for sellers to follow. Defendants control who can sell on its platform  
27 and Defendants can suspend and remove a seller who engages in unlawful acts.  
28 “To protect its customers and safeguard its reputation for trustworthiness, Amazon

1 has invested heavily, both in terms of time and resources, to prevent fraud and  
2 abuse in, and to ensure the quality and authenticity of the products available in, the  
3 Amazon Store.” (See Complaint, Amazon.com, etc., et al., v. Dhuog (W.D. Wash  
4 March 30, 2023), Case 2:23-cv-00484).

5 71. In light of their own fraud prevention policies, Defendants have the  
6 responsibility to verify all listings that claim to be “Remanufactured,” and to  
7 substantiate any environmental claims being made. After Plaintiff put Defendants  
8 on notice about the deceptive and false labeling and advertising claims arising  
9 from the sale of illicit ink cartridges on the Amazon platform, including those  
10 products being promoted, endorsed, fulfilled and sold by Defendants through their  
11 Amazon Warehouse, there has been no perceptible change in Defendants’  
12 wrongful practices.

13 72. Defendants’ lack of enforcement of their own rules and failure to  
14 carry out any punishment for violating their own policies only invites more bad  
15 actors to sell illicit products using unlawful business practices. Defendants’  
16 complicit behavior is causing great harm to Plaintiff by facilitating on a mass scale  
17 the flooding of falsely labeled single-use new built clone ink cartridge as  
18 “remanufactured” and selling them as recycled product, undercutting their market,  
19 tarnishing the reputation of remanufactured ink cartridge products, and clogging up  
20 the recycle stream with single-use printer cartridge cores that have no value.

21 73. Amazon’s sale and distribution of illicit ink cartridges constitute false  
22 advertising, deceptive practices and unfair competition and violates Amazon’s  
23 rules and stated environmental goals, as well as federal and state laws.

24 74. Finally, it bears emphasis that Planet Green is not the only entity to  
25 bring these issues to Amazon’s attention. In February 2023, the International  
26 Imaging Technology Council (“IITC”), a trade association for imaging supply  
27 dealers, remanufacturers, and industry suppliers and consultants sent Amazon a  
28 letter outlining “the growing problem of ‘fake’ remanufactured products flooding

1 e-commerce platforms.” The letter attached a presentation that laid out the  
2 evidence of a category-wide problem with imported clone printer ink cartridges  
3 being misrepresented as remanufactured and sold over Amazon, identified legal  
4 violations resulting from the sale of the misrepresented cartridges and proposed a  
5 solution.

6 75. The IITC called for Amazon to adopt a simple verification process for  
7 remanufactured printer ink cartridges that is similar to the process Amazon already  
8 uses to verify the authenticity of new OEM printer cartridges. IITC’s proposal  
9 would have enabled Amazon to similarly verify the legitimacy of remanufactured  
10 cartridges through an existing IITC two-step verification process. Before a seller  
11 could list remanufactured printer ink cartridges on Amazon, IITC would first  
12 verify how the seller obtained the OEM empty cartridges it uses in the  
13 remanufacturing process; and second, require the seller to provide onsite  
14 verification of the existence of its remanufacturing facility by videoconference.  
15 Amazon never adopted this common-sense approach to verifying remanufactured  
16 printer ink jet cartridges, despite extensive evidence that cartridges sold over its  
17 website, which Amazon promotes, sells, distributes and fulfills are  
18 overwhelmingly misrepresented as remanufactured when they are actually newly  
19 manufactured clone cartridges.

20  
21 **CAUSES OF ACTION**

22 **COUNT 1**

23 **(Violation of the Lanham Act, 15 U.S.C. § 1125(a)(1)(B) – False Advertising)**

24 **AGAINST ALL DEFENDANTS**

25 76. Plaintiff hereby incorporates by reference all of the allegations set  
26 forth in paragraphs 1 through 75 as though fully set forth herein.

27 77. Defendants’ conduct as described above constitutes the use of false  
28 statements, false descriptions and representations of fact in violation of section

1 43(a) of the Lanham Act, 15 U.S.C. section 1125(a), that are likely to deceive and  
2 do in fact deceive the public into falsely believing that the illicit ink cartridges sold  
3 on Amazon are remanufactured, recyclable products.

4 78. Defendants' conduct as described above constitutes the using of false  
5 statements, false description and representations of fact in violation of section  
6 43(a) of the Lanham Act, 15 U.S.C. section 1125(a), that are likely to deceive and  
7 do in fact deceive the public into falsely believing that the ink cartridges sold on  
8 Amazon are made from OEM cores.

9 79. Defendants' acts as described above constitute the using by each  
10 Defendant, in violation of section 43(a) of the Lanham Act, 15 U.S.C. section  
11 1125(a), of words, terms, names, symbols and false and misleading descriptions of  
12 fact, and false and misleading representations of fact, which, in commercial  
13 advertising or promotion misrepresents the nature, characteristics or qualities of  
14 Defendants' goods, services or commercial activities.

15 80. As a result of Defendants' false and misleading advertising, Planet  
16 Green has suffered a direct diversion of customers and has been and will be  
17 deprived of substantial revenue in an amount to be determined at trial.

18 81. Defendants have caused and will continue to cause immediate and  
19 irreparable injury to Plaintiff, including injury to its business, for which there is no  
20 adequate remedy at law. As such, Plaintiff is entitled to an injunction under 15  
21 U.S.C. section 1116, restraining Defendants, their agents, employees,  
22 representatives and all persons acting in concert with them from engaging in  
23 further acts in violation of section 43(a) of the Lanham Act, 15 U.S.C. section  
24 1125(a), and ordering removal of the false advertising.

25 82. Plaintiff is entitled under 15 U.S.C. section 1117, to actual damages to  
26 be determined at trial, to have such damages trebled, to disgorgement of  
27 Defendants' profits, and costs of this action.

28 83. In the course of committing the wrongful acts alleged herein,

1 Defendants made and are making false or misleading descriptions of fact or  
2 representations of fact and commercial advertisements about their own or another's  
3 product that were and are material, in that they are likely to influence the  
4 purchasing decision of consumers. Each such misrepresentation actually deceives  
5 or has a tendency to deceive a substantial segment of its audience, and each  
6 Defendant has placed a false or misleading statement in interstate commerce.  
7 Plaintiff directly competes with the sellers promoted by Amazon, and Amazon  
8 through its FBA services is a direct seller of the illicit ink cartridges. In addition,  
9 Defendants take possession of illicit clone ink cartridges, promote, distribute, sell  
10 and fulfill the clone cartridges, including through the Amazon Warehouse website  
11 – holding Amazon itself out to the world as seller and making its own statements to  
12 promote products it is selling. Plaintiff has been and is likely to be injured as a  
13 result of Defendants' misconduct by direct loss and diversion of sales.

14 84. Defendants' wrongful acts as described herein were knowing, willful  
15 and egregious and continued despite Defendants' knowledge that they were illegal.

16 85. Plaintiff is entitled to injunctive relief, reasonable attorneys' fees and  
17 the costs of this action under sections 34 and 35 of the Lanham Act, 15 U.S.C.  
18 sections 1116 and 1117.

19 **COUNT 2**

20 **(Violation of the Lanham Act, 15 U.S.C. § 1125(a)(1)(A) –**  
21 **False Association & False Designation of Origin or Approval)**  
22 **AGAINST ALL DEFENDANTS**

23 86. Plaintiff hereby incorporates by reference all of the allegations set  
24 forth in paragraphs 1 through 85 as though fully set forth herein.

25 87. Defendants' conduct as described above constitutes the use of false  
26 statements, false descriptions and representations of fact in violation of section  
27 43(a) of the Lanham Act, 15 U.S.C. section 1125(a), that are likely to deceive and  
28 do in fact deceive the public into falsely believing that the illicit ink cartridges sold

1 on Amazon are remanufactured, recyclable products that originate with or are  
2 otherwise associated with or sponsored by Plaintiff, which is the nearly exclusive  
3 lawful producer and supplier of remanufactured printer ink cartridges in the United  
4 States.

5 88. Defendants' acts as described above constitute the using by each  
6 Defendant, in violation of section 43(a) of the Lanham Act, 15 U.S.C. section  
7 1125(a), of words, terms, names, symbols and false and misleading descriptions of  
8 fact, and false and misleading representations of fact, which are likely to cause  
9 confusion, or to cause mistake, or to deceive as to the affiliation, connection, or  
10 association of such [person](#) with another [person](#), or as to the origin, sponsorship, or  
11 approval of his or her goods or commercial activities by another [person](#).

12 89. As a result of Defendants' false and misleading use of terms, names,  
13 symbols, and descriptions and representations of fact, including on the labeling and  
14 packaging of misrepresented clone ink cartridges, Planet Green has suffered a  
15 direct diversion of customers and has been and will be deprived of substantial  
16 revenue in an amount to be determined at trial.

17 90. Defendants have caused and will continue to cause immediate and  
18 irreparable injury to Plaintiff, including injury to its business, for which there is no  
19 adequate remedy at law. As such, Plaintiff is entitled to an injunction under 15  
20 U.S.C. section 1116, restraining Defendants, their agents, employees,  
21 representatives and all persons acting in concert with them from engaging in  
22 further acts in violation of section 43(a) of the Lanham Act, 15 U.S.C. section  
23 1125(a), and ordering removal of the false advertising.

24 91. Plaintiff is entitled under 15 U.S.C. section 1117, to actual damages to  
25 be determined at trial, to have such damages trebled, to disgorgement of  
26 Defendants' profits, and costs of this action.

27 92. In the course of committing the wrongful acts alleged herein,  
28 Defendants made and are making false or misleading descriptions of fact or



1 representations of fact about their own or another's product that were and are  
2 material, in that they are likely to influence the purchasing decision of consumers.  
3 Each such misrepresentation actually deceives or has a tendency to deceive a  
4 substantial segment of its audience, and each Defendant has placed a false or  
5 misleading statement in interstate commerce. Plaintiff directly competes with the  
6 sellers promoted by Amazon, and Amazon, including through its FBA services,  
7 has become a direct seller of the illicit ink cartridges. In addition, Defendants take  
8 possession of illicit clone ink cartridges, promote, distribute, sell and fulfill  
9 purchases of the clone cartridges, including through the Amazon Warehouse  
10 website. Plaintiff has been and is likely to be injured as a result of Defendants'  
11 misconduct by direct loss and diversion of sales.

12 93. Defendants' wrongful acts as described herein were knowing, willful  
13 and egregious and continued despite Defendants' knowledge that they were illegal.

14 94. Plaintiff is entitled to injunctive relief, reasonable attorneys' fees and  
15 the costs of this action under sections 34 and 35 of the Lanham Act, 15 U.S.C.  
16 sections 1116 and 1117.

17 **COUNT 3**

18 **(Common Law Unfair Competition)**

19 **AGAINST ALL DEFENDANTS**

20 95. Plaintiff hereby incorporates by reference all of the allegations set  
21 forth in paragraphs 1 through 94 as though fully set forth herein.

22 96. The wrongful conduct of Defendants as alleged herein constitutes  
23 unfair trade practices and unfair competition under the common law.

24 97. Defendants promotion, distribution, sale and offering for sale of clone  
25 printer ink cartridges that are misrepresented as remanufactured constitutes passing  
26 off because consumers who purchase remanufacture printer ink cartridges over  
27 Amazon rightly understand that they come from the lawful source of such  
28 cartridges and, whether they know the name of the company or not, that nearly

1 always means Planet Green.

2 98. Defendants’ conduct as described above has at all times been willful  
3 and/or knowing.

4 99. As a direct and proximate result of the actions of Defendants  
5 described herein, Plaintiff has been damaged and will continue to be damaged in  
6 an amount according to proof at the time of trial.

7 **COUNT 4**

8 **(Unfair Competition in Violation of California Unfair Competition Law –**  
9 **Unlawful and Unfair Prongs (Cal. Bus. & Prof. Code § 17200, *et seq.*))**  
10 **AGAINST ALL DEFENDANTS**

11 100. Plaintiff hereby incorporates by reference all of the allegations set  
12 forth in paragraphs 1 through 99 as though fully set forth herein.

13 101. Defendants have engaged and continue to engage in the acts or  
14 practices described above, including, but not limited to using false statements, false  
15 descriptions and representations of fact that are likely to deceive and do in fact  
16 deceive the public into falsely believing that the illicit ink cartridges sold on  
17 Amazon as described above are remanufactured products. This conduct is  
18 unlawful, fraudulent, and unfair, and constitutes unfair competition within the  
19 meaning of section 17200 of the California Business and Professions Code.

20 102. Additionally, the illicit ink cartridges sold by Defendants as alleged  
21 herein falsely claim they are environmentally sound or recycled products, which  
22 also violates section 17200 of the California Business and Professions Code. In  
23 light of the significant amount of plastic that is labeled as recyclable and instead  
24 ends up in landfills, incinerators, communities, and the natural environment, the  
25 Legislature of the State of California has declared that “it is the public policy of the  
26 state that environmental marketing claims, whether explicit or implied, should be  
27 substantiated by competent and reliable evidence to prevent deceiving or  
28 misleading consumers about the environmental impact of plastic products.” Cal.

1 Pub. Res. Code § 42355.5. The policy is based on the Legislature’s finding that  
2 “littered plastic products have caused and continue to cause significant  
3 environmental harm and have burdened local governments with significant  
4 environmental cleanup costs.” *Id.* § 42355. Defendants’ promotion, sale and  
5 distribution of misrepresented clone printer ink cartridges specifically violate Cal.  
6 Pub. Res. Code § 42355.51, which provides that “a person shall not offer for sale,  
7 sell, distribute, or import into the state any product or packaging for which a  
8 deceptive or misleading claims about the recyclability of the product or packaging  
9 is made.”  
10

11 103. In addition, California Business and Professions Code section 17580.5  
12 makes it “unlawful for any person to make any untruthful, deceptive, or misleading  
13 environmental marketing claim, whether explicit or implied.” Pursuant to that  
14 section, the term “environmental marketing claim” includes any claim contained in  
15 the Guides for use of Environmental Marketing Claims published by the FTC (the  
16 “Green Guides”). *Id.*; *see also* 16 C.F.R. § 260.1, *et seq.*

17 104. Under the Green Guides, “[i]t is deceptive to misrepresent, directly or  
18 by implication, that a product or package is recyclable. A product or package shall  
19 not be marketed as recyclable unless it can be collected, separated, or otherwise  
20 recovered from the waste stream through an established recycling program for  
21 reuse or use in manufacturing or assembling another item.” 16 C.F.R. § 260.12(a).  
22 This definition encompasses the three prongs of recyclability that are commonly  
23 used in the solid waste industry: (1) accessibility of recycling programs (“through  
24 an established recycling program”); (2) sortability for recovery (“collected,  
25 separated, or otherwise recovered from the waste stream”); and (3) end markets  
26 (“for reuse or use in manufacturing or assembling another item”). The California  
27 Public Resources Code similarly defines recycling as “the process of collecting,  
28 sorting, cleansing, treating, and reconstituting materials that would otherwise

1 become solid waste, and returning them to the economic mainstream in the form of  
2 raw material for new, reused, or reconstituted products which meet the quality  
3 standards necessary to be used in the marketplace.” *Id.* § 40180.

4 105. These definitions are consistent with reasonable consumer  
5 expectations. For instance, the dictionary defines the term “recycle” as: (1) convert  
6 (waste) into reusable material, (2) return (material) to a previous stage in a cyclic  
7 process, or (3) use again. Oxford Dictionary, Oxford University Press 2020.  
8 Accordingly, reasonable consumers expect that products advertised, marketed,  
9 sold, labeled, or represented as recyclable will be collected, separated, or otherwise  
10 recovered from the waste stream through an established recycling program for  
11 reuse or use in manufacturing or assembling another item.

12 106. Defendants’ conduct violates California Business and Professions  
13 Code section 17580.5, which makes it unlawful for any person to make any  
14 untruthful, deceptive, or misleading environmental marketing claim. Pursuant to  
15 section 17580.5, the term “environmental marketing claim” includes any claim  
16 contained in the Green Guides. 16 C.F.R. § 260.1, *et seq.* Under the Green Guides,  
17 “[i]t is deceptive to misrepresent directly or by implication, that a product or  
18 package is recyclable. A product or package shall not be marketed as recyclable  
19 unless it can be collected, separated, or otherwise recovered from the waste stream  
20 through an established recycling program for reuse or use in manufacturing or  
21 assembling another item.” 16 C.F.R. § 260.12(a). By misrepresenting that the  
22 Products are recyclable as described above, Defendants are violating Business and  
23 Professions Code section 17580.5.

24 107. By violating the FTC Act, Business and Professions Code sections  
25 17500 and 17580.5, and the California Public Resources Code, Defendants have  
26 engaged in unlawful business acts and practices which constitute unfair  
27 competition within the meaning of Business and Professions Code section 17200.

28 108. Defendants have engaged and continue to engage in the acts or

1 practices described herein, which are unlawful, and which constitute unfair  
2 competition within the meaning of section 17200 of the California Business and  
3 Professions Code.

4 109. Defendants have engaged and continue to engage in the acts or  
5 practices described above, all of which are unfair, irrespective of the violation of  
6 any other law, and which constitute unfair competition within the meaning of  
7 section 17200 of the Business and Professions Code.

8 110. Under California Business and Professions Code section 17200, *et*  
9 *seq.*, Plaintiff seeks injunctive and other equitable relief to require Defendants to  
10 cease their anticompetitive conduct, to restore fair competition, to deny Defendants  
11 the fruits of their illegal conduct and to impose such other relief as may be just and  
12 proper for Defendants' violation of the California Unfair Competition Law.

13 **COUNT 5**

14 **(Violation of California False Advertising Law (Cal. Bus. & Prof. Code §**  
15 **17500, *et seq.*))**

16 **AGAINST ALL DEFENDANTS**

17 111. Plaintiff hereby incorporates by reference all of the allegations set  
18 forth in paragraphs 1 through 110 as though fully set forth herein.

19 112. California Business and Professions Code section 17500 states:

20 It is unlawful for any person, firm, corporation or  
21 association, or any employee thereof with intent directly  
22 or indirectly to dispose of real or personal property or to  
23 perform services, professional or otherwise, or anything of  
24 any nature whatsoever or to induce the public to enter into  
25 any obligation relating thereto, to make or disseminate or  
26 cause to be made or disseminated before the public in this  
27 state, or to make or disseminate or cause to be made or  
28 disseminated from this state before the public in any state,

1 in any newspaper or other publication, or any advertising  
2 device, or by public outcry or proclamation, or in any other  
3 manner or means whatever, including over the Internet,  
4 any statement, concerning that real or personal property or  
5 those services, professional or otherwise, or concerning  
6 any circumstance or matter of fact connected with the  
7 proposed performance or disposition thereof, which is  
8 untrue or misleading, and which is known, or which by the  
9 exercise of reasonable care should be known, to be untrue  
10 or misleading, or for any person, firm, or corporation to so  
11 make or disseminate or cause to be so made or  
12 disseminated any such statement as part of a plan or  
13 scheme with the intent not to sell that personal property or  
14 those services, professional or otherwise, so advertised at  
15 the price stated therein, or as so advertised. Any violation  
16 of the provisions of this section is a misdemeanor  
17 punishable by imprisonment in the county jail not  
18 exceeding six months, or by a fine not exceeding two  
19 thousand five hundred dollars (\$2,500), or by both that  
20 imprisonment and fine.

Cal. Bus. & Prof. Code § 17500.

21 113. Defendants violated Business and Professions Code section 17500 by  
22 making or disseminating or causing to be disseminated before the public in this  
23 state, deceptive, untrue or misleading statements, including over platforms other  
24 than Defendants' websites, via email, and in product packaging and labeling, in  
25 connection with the sale of goods as alleged above and Defendants knew or in the  
26 exercise of reasonable care should have known such untrue or misleading  
27 statements were deceptive, untrue or misleading concerning the sale of  
28

1 nonrecyclable, non-OEM ink cartridges, all in a manner that was likely to mislead  
2 or deceive a reasonable consumer.

3 114. By reason of Defendants' deceptive, untrue, and misleading  
4 advertising, Plaintiff has suffered and will continue to suffer irreparable injury  
5 unless and until this Court enters an order enjoining Defendants from any further  
6 acts of deceptive, untrue and misleading advertising. Defendants' continuing acts  
7 of deceptive, untrue and misleading advertising, unless enjoined, will cause  
8 irreparable damage to Plaintiff in that it will have no adequate remedy at law to  
9 compel Defendants to cease such acts, and no way to determine its losses caused  
10 by such Defendants. Plaintiff is therefore entitled to a preliminary injunction and a  
11 permanent injunction against further deceptive, untrue and misleading advertising  
12 by Defendants. Brands found to have falsely labeled their products should be  
13 permanently removed and banned from further sale on Defendants' platform.

14 115. As a direct and proximate result of Defendants' deceptive, untrue and  
15 misleading advertising, Defendants have wrongfully taken Plaintiff's profits and its  
16 substantial investment of time, energy and money. Defendants' acts as described  
17 above constitute false and misleading descriptions and misrepresentations of fact in  
18 California, which, in commercial advertising and promotion, misrepresent the  
19 nature, characteristics and qualities of their products in violation of the False  
20 Advertising law in Business and Professions Code section 17500, *et seq.* Plaintiff  
21 therefore asks that the Court also impose such other relief as may be just and  
22 proper for Defendants' violation of the California False Advertising Law.

23 **COUNT 6**

24 **(Negligence)**

25 **AGAINST ALL DEFENDANTS**

26 116. Plaintiff hereby incorporates by reference all of the allegations set  
27 forth in paragraphs 1 through 115 as though fully set forth herein.

28 117. Defendants, as sellers and distributors of products, owe Plaintiff a

1 duty of due care not to operate their business in manner that will foreseeably cause  
2 the type of harm to Plaintiff's business asserted herein. Specifically, Defendants  
3 have a duty to undertake reasonable measures to assure that purportedly  
4 remanufactured printer ink jet cartridges it promotes, sells and distributes are  
5 actually remanufactured, as their packaging and labeling represents, and not clone  
6 cartridges that are not remanufactured. That duty is particularly acute where, as  
7 here, Defendants were put on notice of a pervasive problem with clone cartridges  
8 that they promoted, sold and distributed being misrepresented as remanufactured,  
9 both by Plaintiff and by an independent trade association.

10 118. The harm that Plaintiff alleges here – *i.e.*, damage to the  
11 remanufactured printer ink cartridge industry and to Plaintiff's business, in  
12 particular, and loss of sales – is a direct and foreseeable result of Defendants'  
13 failure to exercise due care to verify that products it promotes, sells and distributes  
14 are actually remanufactured when sellers (including Defendants themselves)  
15 represent them as such in promotion, packaging and labeling.

16 119. Defendants could have undertaken simple steps to verify whether  
17 misrepresented clone cartridges are actually remanufactured or not. IITC offered a  
18 simple third-party verification process, similar to one Defendants already use to  
19 verify the authenticity of OEM printer ink cartridges, but Defendants did not  
20 implement it and have not undertaken meaningful steps to assure that they are not  
21 promoting, distributing or selling misrepresented clone cartridges. As a result of  
22 that choice and its conduct alleged herein, Defendants have breached their duty to  
23 Plaintiff to undertake reasonable measures to prevent direct and foreseeable harm  
24 to Plaintiff's business and its sales, as well as to the entire remanufactured  
25 cartridge industry.

26 120. As alleged above, Defendants' breach of duty has been a substantial  
27 cause of the decimation of the remanufactured printer ink cartridge business in the  
28 United States and has specifically damaged Plaintiff's business and hurt Plaintiff's



1 sales because consumers purchase misrepresented clone cartridges in the mistaken  
2 belief that they are remanufactured cartridges, instead of purchasing genuine  
3 remanufactured cartridges from Planet Green.

4 121. Defendants' conduct as described above has at all times been willful  
5 and/or knowing.

6 122. As a direct and proximate result of the actions of Defendants  
7 described herein, Plaintiff has been damaged and will continue to be damaged in  
8 an amount according to proof at the time of trial.

9  
10  
11 **PRAYER**

12 WHEREFORE, Plaintiff prays for judgment and relief against Defendants,  
13 and each of them, as follows:

14 1. That the Court preliminarily and permanently enjoin Defendants from  
15 conducting their business through unlawful, unfair or fraudulent business acts or  
16 practices, untrue and misleading advertising, and other violations of law described  
17 in this complaint;

18 2. That the Court order Defendants to conduct corrective advertising and  
19 an information campaign advising consumers that the counterfeit ink cartridges do  
20 not have the characteristics, uses, benefits or qualities Defendants have claimed;

21 3. That the Court order Defendants to cease and desist from marketing  
22 and promotion of the illicit clone ink cartridges that state or imply the cartridges  
23 are recyclable;

24 4. That the Court order Defendants to implement all measures necessary  
25 to remedy the unlawful, unfair or fraudulent business acts or practices, untrue and  
26 misleading advertising, and other violations of law described in this complaint;

27 5. That the Court award damages to Plaintiff in a sum not less than  
28 \$500,000,000.00;

1           6.     That the Court order Defendants to disgorge all profits from their  
2 unlawful, unfair or fraudulent business acts or practices, untrue and misleading  
3 advertising, and other violations of law described in this complaint, and an award  
4 of enhanced or treble damages, in an amount to be determined at trial;

5           7.     That the Court grant Plaintiff its reasonable attorneys’ fees and costs  
6 of suit; and

7           8.     That the Court grant such other and further relief as may be just and  
8 proper.

9  
10 Dated: October 10, 2023

TROYGOULD PC

11  
12 By: /s/ John C. Ulin  
13 John C. Ulin  
14 Attorneys for Plaintiff  
15 PLANET GREEN CARTRIDGES,  
16 INC.

17 **DEMAND FOR JURY TRIAL**

18 Pursuant to Fed. R. Civ. Pro. 38(b), Plaintiff demands a trial by jury for all  
19 issues so triable.

20 Dated: October 10, 2023

TROYGOULD PC

21  
22  
23 By: /s/ John C. Ulin  
24 John C. Ulin  
25 Attorneys for Plaintiff  
26 PLANET GREEN CARTRIDGES,  
27 INC.  
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