

1 2 3 4 5 6 7 8 9	Michael D. Rounds Nevada Bar No. 4734 Cassandra Joseph Nevada Bar No. 9845 Adam K. Yowell Nevada Bar No. 11748 WATSON ROUNDS 5371 Kietzke Lane Reno, NV 89511-2083 Telephone: (775) 324-4100 Facsimile: (775) 333-8171 E-Mail: mrounds@watsonrounds.com E-Mail: cjoseph@watsonrounds.com E-Mail: ayowell@watsonrounds.com Attorneys for Plaintiff					
10	UNITED STATES DISTRICT COURT					
11	DISTRICT OF NEVADA					
12 13	SYNCHROME TECHNOLOGY, INC., a Nevada Corporation, Civil Action No. 2:10-cv-721					
14	Plaintiff,					
15	V. COMPLAINT FOR DATENT INEDINGEMENT					
16 17 18 19	MICROSOFT CORPORATION, a Washington corporation; NEC CORPORATION OF AMERICA, a California corporation, Defendants.					
20 21 22 23	Plaintiff Synchrome Technology, Inc. ("Synchrome") alleges the following in support of its Complaint for Patent Infringement and Demand for Jury Trial ("Complaint") against Defendant Microsoft Corporation ("Microsoft") and Defendant NEC Corporation of America ("NEC") (collectively referred to as "Defendants"). JURISDICTION 1. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action arises under the patent laws of the United States, including 35 U.S.C. § 271 et seq. This Court has personal jurisdiction over Defendants because they have committed					
24 25 26 27 28	("NEC") (collectively referred to as "Defendants"). JURISDICTION					

1	acts within Nevada and this judicial district giving rise to this action.					
2	<u>VENUE</u>					
3	2. Defendants have committed acts within this judicial district and the Southern					
4	Division of the District of Nevada giving rise to this action and do business in this district and					
5	division, including one or more of the infringing acts of manufacturing, selling, offering for sale					
6	using and advertising their infringing products, and providing service and support to their					
7	respective customers in this district and division. Venue is proper in this district and division					
8	pursuant to 28 U.S.C. §§ 1391(b) and (c) and 1400(b), and Local Rule IA 8-1(a).					
9	<u>PARTIES</u>					
10	3. Plaintiff Synchrome is a corporation organized and existing under the laws of the					
11	State of Nevada and has its principal place of business at 5348 Vegas Drive, No. 567, Las Vegas,					
12	Nevada 89108.					
13	4. Upon information and belief, Defendant Microsoft is a corporation duly organized					
14	and existing under the laws of the State of Washington, and having a principal place of business					
15	at One Microsoft Way, Redmond, Washington 98052.					
16	5. Upon information and belief, Defendant NEC is a corporation duly organized and					
17	existing under the laws of the State of California, and having a principal place of business at 653					
18	N. State Highway 161, Irving, TX 75039.					
19	COUNT 1					
20	(Patent Infringement)					
21	6. Paragraphs $1-5$ of the Complaint set forth above are incorporated herein by					
22	reference.					
23	7. On September 1, 1998, United States Patent No. 5,802,398 ("the '398 Patent")					
24	entitled "Method and Apparatus for Allowing Communication Between a Host Computer and At					
25	Least Two Storage Devices Over a Single Interface" was duly and legally issued to Faan-Hoan					
26	Liu and Jorge Gustavson. All rights and interests in the '398 Patent were assigned to Synchrome					
27	Technology, Inc. A true and correct copy of the '398 Patent is attached hereto as Exhibit A.					
28	8. Synchrome is the full and sole owner of the '398 Patent.					

- 9. On October 16, 2001, United States Patent No. 6,304,925 ("the '925 Patent") entitled "Method and Apparatus for Allowing Communication Between a Host Computer and At Least Two Storage Devices Over a Single Interface" was duly and legally issued to Faan-Hoan Liu and Jorge Gustavson. All rights and interests in the '925 Patent were assigned to Synchrome Technology, Inc. A true and correct copy of the '925 Patent is attached hereto as Exhibit B.
 - 10. Synchrome is the full and sole owner of the '925 Patent.
- 11. Upon information and belief, Microsoft sold, offered for sale, used and advertised its "Xbox" product in this judicial district.
- 12. Upon information and belief, NEC sold, offered for sale, used and advertised its ND-3550A product in this judicial district.
- 13. Upon information and belief, Microsoft has infringed under 35 U.S.C. § 271 the '398 and '925 Patents (collectively the "patents-in-suit"). The infringing acts include, but are not limited to, manufacturing, selling, offering for sale, using and advertising the above-identified "Xbox" product that is covered by one or more claims of the patents-in-suit.
- 14. Upon information and belief, NEC has infringed under 35 U.S.C. § 271 the patents-in-suit. The infringing acts include, but are not limited to, manufacturing, selling, offering for sale, using and advertising optical disc drives, of which the above-identified ND-3550A product is one example, that are covered by one or more claims of the patents-in-suit.
- Defendants' acts of infringement have caused damage to Synchrome. Under 35U.S.C. § 284, Synchrome is entitled to recover from Defendants the damages sustained bySynchrome as a result of Defendants' infringement of the patents-in-suit.

PRAYER FOR RELIEF

WHEREFORE, Synchrome respectfully requests that this Court enter judgment against Defendants as follows:

- (a) For judgment that Defendants have infringed and continue to infringe the patents-in-suit;
- (b) For damages to be paid by Defendants adequate to compensate Synchrome for their infringement, including interests, costs and disbursements as the Court may deem

1	appropriate under 35 U.S.C. § 284;						
2	(c) For judgment finding that Defendants' infringement was willful and deliberate,						
3	entitling Synchrome to increased damages under 35 U.S.C. § 284;						
4	(d)	(d) For judgment finding this to be an exceptional case, and awarding Synchrome's					
5	attorney fees and appropriate costs under 35 U.S.C. § 285; and						
6	(e)	(e) For such other and further relief at law and in equity as the Court may deem jus					
7	and proper.						
8	DEMAND FOR JURY TRIAL						
9	Pursuant to Fed. R. Civ. P. 38(b), Synchrome hereby demands a jury trial on all issues						
10	triable by jury	<i>7</i> .					
11	D. I.M.	17, 2010	D	//W:1 1D D 1			
12	Dated: May 1	17, 2010	By:	/s/ Michael D. Rounds Michael D. Rounds			
13				Nevada Bar No. 4734 Cassandra Joseph			
14				Nevada Bar No. 9845 Adam K. Yowell			
15				Nevada Bar. No. 11748			
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