

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

STMICROELECTRONICS, INC.,

Plaintiff,

v.

AVAGO TECHNOLOGIES LIMITED,  
AVAGO TECHNOLOGIES U.S. INC.

Defendants.

CIVIL ACTION NO. \_\_\_\_\_

JURY TRIAL

**ORIGINAL COMPLAINT**

Plaintiff STMicroelectronics, Inc., by and through its attorneys, complains against Avago Technologies Limited (“Avago Limited”) and Avago Technologies U.S. Inc. (“Avago U.S.”) (collectively, “Defendants”), and alleges as follows:

**PARTIES**

1. Plaintiff STMicroelectronics, Inc. (“STI”) is a corporation organized and existing under the laws of the State of Delaware with a current principal place of business in Carrollton, Texas.

2. On information and belief, Avago Technology Limited is an entity organized and existing under the laws of Singapore with co-headquarters in San Jose, California and Yishun, Singapore. On information and belief, Avago Limited markets and sells products throughout the world, including products that are incorporated into end-user products that are sold in the United States, including within this District.

3. On information and belief, Avago Technologies U.S. Inc. is an entity organized and existing under the laws of the State of Delaware with its headquarters in San Jose,

California. On information and belief, Avago U.S. markets and sells products throughout the United States, including within this District.

### **JURISDICTION AND VENUE**

4. This is an action arising under the patent laws of the United States, 35 U.S.C. §§ 101, *et seq.* This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

5. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b), (c), and 1400(b).

### **THE PATENTS**

6. United States Patent No. 6,838,752, invented by Jean-Luc Diot, entitled “Semiconductor Package With Recessed Leadframe and a Recessed Leadframe” (the “’752 Patent”), was duly and legally issued by the United States Patent and Trademark Office on January 4, 2005. A copy of the ’752 Patent is attached hereto as Exhibit A.

7. United States Patent No. 6,362,697, invented by Francesco Pulvirenti, entitled “Low Supply Voltage Relaxation Oscillator having Current Mirror Transistors Supply For Capacitors” (the “’697 Patent”), was duly and legally issued by the United States Patent and Trademark Office on March 26, 2002. A copy of the ’697 Patent is attached hereto as Exhibit B.

8. STI is the owner of all rights, title and interest in and to the ’752 Patent and the ’697 Patent (collectively, the “STI Patents”) and is entitled to sue for past and future infringement.

### **BACKGROUND**

9. STI repeats and realleges the allegations in paragraphs 1-8 of this Complaint.

10. The STI Patents cover inventions relating to various aspects of semiconductor products, including packaging and oscillator circuits.

11. Defendants have made, used, offered for sale, or sold in the United States, or imported into the United States, products covered by the STI Patents and/or products made using the methods claimed in the STI Patents, and/or have induced and/or contributed to such activities by others.

12. The filing of this complaint constitutes notice in accordance with 35 U.S.C. § 287.

### **COUNT 1**

#### **(The '752 Patent)**

13. STI repeats and realleges the allegations in paragraphs 1-12 of this Complaint.

14. On information and belief, one or more of the Defendants has infringed, contributorily infringed, and/or induced infringement of the '752 Patent by its sale of products including, but not limited to, certain optical navigation units such as the ADBS-A320 optical sensor used in optical finger navigation units (the '752 Products). On information and belief, one or more of the Defendants either sells the '752 Products in the United States, or sells them to third parties who use them, offer them for sale, or sell them in the United States, or import them into the United States, either as such or as part of downstream products.

15. Defendants' infringement of the '752 Patent has damaged and will continue to damage STI. On information and belief, Defendants' infringement of the '752 Patent has caused and will continue to cause STI irreparable harm unless enjoined by the Court. STI has no adequate remedy at law.

### **COUNT 2**

#### **(The '697 Patent)**

16. STI repeats and realleges the allegations in paragraphs 1-12 of this Complaint.

17. On information and belief, one or more of the Defendants has infringed, contributorily infringed, and/or induced infringement of the '697 Patent by its sale of products including, but not limited to, certain optical navigation units such as the ADNS-7550, ADNS-7530, other products using the same die, and products using the die marked "2CD1D" (collectively, the '697 Products). On information and belief, one or more of the Defendants either sells the '697 Products in the United States, or sells them to third parties who use them, offer them for sale, or sell them in the United States, or import them into the United States, either as such or as part of downstream products.

18. Defendants' infringement of the '697 Patent has damaged and will continue to damage STI. On information and belief, Defendants' infringement of the '697 Patent has caused and will continue to cause STI irreparable harm unless enjoined by the Court. STI has no adequate remedy at law.

#### **DEMAND FOR JURY**

19. STI requests a jury to hear this matter.

#### **PRAYER FOR RELIEF**

For these reasons, STMicroelectronics, Inc. respectfully requests that this Court enter judgment in its favor and grant the following relief:

- a. Adjudge that Avago Limited and Avago U.S. have infringed the STI Patents;
- b. Enter an order preliminarily and permanently enjoining Avago Limited and Avago U.S. from any further acts of infringement of the STI Patents;
- c. Award STI damages in an amount adequate to compensate STI for Avago Limited and Avago U.S.'s infringement of the STI Patents, but in no event less than a reasonable royalty under 35 U.S.C. § 284;

d. Enter an order awarding STI interest on damages awarded and its costs under 35 U.S.C. § 284; and,

e. Award such other relief as the Court may deem appropriate and just under the circumstances.

Dated: July 23, 2010

Respectfully submitted,

/s/ Bruce S. Sostek

Bruce S. Sostek

Texas Bar No. 18855700

bruce.sostek@tklaw.com

Jane Politz Brandt

Texas Bar No. 02882090

jane.brandt@tklaw.com

Max Ciccarelli

Texas Bar No. 00787242

max.ciccarelli@tklaw.com

Richard L. Wynne, Jr.

State Bar No. 24003214

richard.wynne@tklaw.com

THOMPSON & KNIGHT LLP

1700 Pacific Avenue, Suite 3300

Dallas, Texas 75201B4693

Phone: 214.969.1700

Fax: 214.969.1751

ATTORNEYS FOR STMICROELECTRONICS, INC.