



3. Defendant Xilinx, Inc. is a company incorporated under the laws of the State of Delaware. Its principal place of business is San Jose, California. Defendant Xilinx may be served with this Complaint through its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801.

4. Defendant Lattice Semiconductor Corporation is a company incorporated under the laws of the State of Delaware. Its principal place of business is Hillsboro, Oregon. Defendant Lattice may be served with this Complaint through its registered agent, The Corporation Trust Company, Corporation Trust Center, 1209 Orange Street, Wilmington, DE 19801.

#### **JURISDICTION AND VENUE**

5. This is an action for violation of the patent laws of the United States, 35 U.S.C. § 1 et seq. This Court has subject-matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338 because this action arises under the patent laws of the United States. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391 and 1400(b) in that the Defendants do business in this District, have committed acts of infringement in this District, and continue to commit acts of infringement in this District, entitling Plaintiff to relief. Additionally, all Defendants are incorporated in this District.

#### **INFRINGEMENT OF U.S. PATENT NO. 6,208,636**

6. On July 15, 2003, United States Letters Patent No. 6,594,802 (“the ‘802 Patent”) was duly and legally issued to Michael Ricchetti, Christopher Clark and Bulent Dervisoglu for an invention titled *Method and Apparatus for Providing Optimized Access to Circuits for Debug, Programming and Test*. By assignment, Intellitech owns all right, title and interest in the ‘802 Patent. A true and correct copy of the ‘802 Patent is attached as Exhibit A to this Complaint.

7. Intellitech develops and licenses software, testers, integrated circuits and intellectual property that leverage the IEEE 1149.X based standards for OEMs and EMS companies in the electronic industry. Customers use these solutions to enable minimal contact silicon-to-system test and on-board configuration for the life-cycle of the electronic product. Intellitech was incorporated in 1988 and is based in Dover, NH with a subsidiary in Bangalore, India.

8. Altera is a leading supplier of programmable logic solutions. Altera offers FPGAs, CPLDs, and HardCopy<sup>®</sup> ASICs in combination with software tools and customer support to provide high-value programmable solutions to over 13,000 customers worldwide. Altera had annual revenues in 2008 of US\$1.37 billion. Altera is engaged in the manufacture and sale of a broad range of products and services in FPGA field.

9. Altera has infringed and continues to infringe the '802 Patent by its manufacture, use, sale and/or offer for sale of Altera's Quartus II software with its MAXII family of CPLDs, Stratix and Cyclone device families. Altera also contributes to and induces others to manufacture, use, sell, import, and/or offer for sale products and services that infringe the '802 Patent. Altera is liable for its infringement of the '802 Patent pursuant to 35 U.S.C. § 271.

10. Lattice designs, develops and markets high performance programmable logic products and related software primarily to original equipment manufacturers ("OEMs") in the communications, computing, consumer, industrial, automotive, medical and military end markets. Lattice's product lines include several types of FPGAs and PLDs. In addition, Lattice is the leading supplier of low density CMOS PLDs in the world.

11. Lattice has infringed and continues to infringe the '802 patent by its manufacture, use, sale and/or offer for sale of Lattice's ispVM software with the Lattice MACHXO, ECP,

ECPM, SC, SCM, XP and Orca family of devices. Lattice contributes to and induces others to manufacture, use, sell, import, and/or offer for sale products and services that infringe the '802 Patent. Lattice is liable for its infringement of the '802 Patent pursuant to 35 U.S.C. § 271.

12. Xilinx is the worldwide leader in programmable logic solutions with over 51 percent market segment share in calendar year 2007 and US\$1.8B in revenues in 2008. Xilinx programmable solutions allows Xilinx customers to change or upgrade product features and functions "on the fly" - adapting to new standards and reconfiguring the hardware for a specific application. This "on the fly" technology enables faster time-to-market, product differentiation and reduced cost.

13. Xilinx has infringed and continues to infringe the '802 patent by its manufacture, use, sale and/or offer for sale of Xilinx's iMPACT software with the Spartan 3, Spartan 3AN, and Spartan 6 devices. Xilinx also contributes to and induces others to manufacture, use, sell, import, and/or offer for sale products and services that infringe the '802 Patent. Xilinx is liable for its infringement of the '802 patent pursuant to 35 U.S.C. § 271.

14. Defendants Lattice, Xilinx and Altera have violated and continue to violate 35 U.S.C. § 271 (a), (b), (c), and (f). Specifically, Lattice, Xilinx and Altera have continued to make, use, sell, and offer to sell products that infringe the claims of the '802 Patent. Lattice, Xilinx and Altera also continue to contribute to and induce infringement by others, without a license under the Patent.

15. The Defendants' acts of infringement are irreparably harming and causing damage to Intellitech.

16. The Defendants' will continue to infringe the '802 Patent unless enjoined.

**JURY DEMAND**

Plaintiff demands a trial by jury on all issues so triable.

**PRAYER FOR RELIEF**

A. Plaintiff seeks a declaration that Lattice, Xilinx and Altera have infringed and continue to infringe United States Patent No. 6,594,802.

B. Plaintiff seeks an award of damages arising out of Defendants' infringement of United States Patent No. 6,594,802, including enhanced damages pursuant to 35 U.S.C. § 284, together with prejudgment and post-judgment interest, in an amount according to proof.

C. Plaintiff seeks an order permanently enjoining Altera, Xilinx and Lattice and their respective agents, employees and those acting in privity with them, from further infringement of U.S. Patent No. 6,594,802.

D. Plaintiff seeks an award of its attorney fees, costs, and expenses pursuant to 35 U.S.C. § 285 or as otherwise permitted by law.

E. Plaintiff seeks such other and further relief as the Court may deem just and proper.

Dated: July 30, 2010

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