

IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

SILICON LABORATORIES INC.,	§ CIVIL ACTION NO. 1:10-cv-0607
	§
	§
Plaintiff,	§ JURY DEMANDED
	§
VS.	§
	§
AIROHA TECHNOLOGY CORP.,	§
	§
Defendant.	§

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Silicon Laboratories Inc. (“Silicon Labs” or “Plaintiff”) files this Complaint for Patent Infringement against Defendant Airoha Technology Corporation (“Airoha” or “Defendant”) and alleges as follows:

PARTIES

1. Plaintiff Silicon Labs is a Delaware corporation having its principal place of business at 400 W. Cesar Chavez, Austin, Texas 78701.
2. Defendant Airoha is a Taiwanese corporation headquartered at 6F, No.1, Dushing Road 1, Hsinchu Science Park, Taiwan. Service upon Airoha can be made pursuant to the Hague Convention or by such other means as are appropriate.

JURISDICTION AND VENUE

3. This is a civil action for patent infringement arising under the patent laws of the United States, Title 35 of the United States Code. Accordingly, this Court has exclusive subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).
4. This Court has general and/or specific personal jurisdiction over Defendant.

5. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391 and 1400(b) in that acts of patent infringement have occurred in this District and a substantial part of the events giving rise to Silicon Labs' claims occurred in this District. Silicon Labs has suffered injuries as a result of these acts of patent infringement in this District.

THE PATENTS-IN-SUIT

6. On May 1, 2001, the United States Patent and Trademark Office duly and legally issued United States Patent No. 6,226,506 ("the '506 Patent"), entitled "Method and Apparatus for Eliminating Floating Voltage Nodes Within a Discretely Variable Capacitance Used For Synthesizing High-Frequency Signals for Wireless Communications." A true and correct copy of the '506 Patent may be obtained from the website of the United States Patent & Trademark Office and is incorporated herein by reference.

7. On May 15, 2001, the United States Patent and Trademark Office duly and legally issued United States Patent No. 6,233,441 ("the '441 Patent"), entitled "Method and Apparatus for Generating a Discretely Variable Capacitance for Synthesizing High-Frequency Signals for Wireless Communications." A true and correct copy of the '441 Patent may be obtained from the website of the United States Patent & Trademark Office and is incorporated herein by reference.

8. Silicon Labs is the owner of all rights, title and interest in and to the '506 Patent and the '441 Patent (collectively "the Patents-in-Suit").

9. The Patents-in-Suit are valid and enforceable.

FACTUAL BACKGROUND

10. Silicon Labs is in the business of designing and developing high-performance, analog-intensive, mixed-signal integrated circuits (IC) serving markets and applications including the communications, consumer electronics, automotive, computing, and industrial industries. Its

products are first-of-a-kind solutions; offering breakthroughs and innovations in integration, board space reduction, and cost savings. Silicon Labs' innovative products are contained in a variety of products, including without limitation, cell phones, portable media players (including MP3 players), portable and plugged radios, portable navigation systems, portable audio/video players, consumer electronics, and automotive accessories.

11. Silicon Labs started in 1996 as a small company in Austin, Texas with a mission to design innovative mixed-signal integrated circuits. As a result of that drive to innovate and successful execution of its mission, Silicon Labs has become a global leader in the mixed-signal IC industry and has grown considerably since its humble beginnings, now employing over 700 people, of which about 500 live and work in the Austin community and this District.

12. Through the years, Silicon Labs has invested significant resources to develop mixed-signal IC solutions that many doubted could be achieved. It has arduously sought to protect its innovative solutions by, among other things, filing and procuring patent protection. Silicon Labs' patent portfolio, which includes the Patents-in-Suit, is extremely valuable and reflects years of Silicon Labs' research, testing, development and relentless commitment to developing novel solutions in the mixed-signal integrated circuits industry.

13. On information and belief, Airoha is a fabless semiconductor organization established in 2001 and headquartered in Taiwan. On information and belief, Airoha sells low-IF integrated FM receiver chips, such as, for example, the AR1010 chip. The AR1010 chip is incorporated into products sold in the United States, including this District. Airoha has offered for sale and sold at least the AR1010 chip without authorization from Silicon Labs or payment for use of Silicon Labs' innovative technology, to the detriment and injury of Silicon Labs.

14. Upon information and belief, infringing Airoha products, including but not necessarily limited to Airoha's AR1010 chip and products containing Airoha's AR1010 chip have been and continue to be offered for sale, imported into and sold throughout the United States, including in this District. Subject to reasonable discovery, on information and belief, additional Airoha chips that are likely to infringe include the AR1200, the AR1210, the AR1000, the AR1018, the AR1318 and the AR1319.

COUNT I.
INFRINGEMENT OF THE '506 PATENT BY DEFENDANT

15. Plaintiff re-alleges and incorporates herein by reference the allegations contained in paragraphs 1-14 of the Complaint as if fully set forth herein.

16. Airoha has directly and/or indirectly infringed at least claims 1, 4, 9, 12, 15 and 19 of the '506 Patent by virtue of its making, using, offering for sale, and selling at least the AR1010 chip, including (but not limited to) its sale of at least the AR1010 chip to third parties, who Airoha knows and understands then incorporate Airoha's infringing chips into other products offered for sale, sold and used in the United States, including within this District.

17. Airoha will continue its acts of infringement unless restrained and enjoined by this Court.

18. Silicon Labs has been, and continues to be damaged by Airoha's infringement. Silicon Labs is suffering, and will continue to suffer damages, including irreparable harm for which there is no adequate remedy at law, unless this Court enjoins Airoha's infringement of the '506 Patent.

19. As a result of Airoha's acts of infringement, Silicon Labs has suffered and will continue to suffer damages in an amount to be proved at trial. Silicon Labs has notified Airoha of the infringement, but Airoha has continued to infringe thereafter.

COUNT II.
INFRINGEMENT OF THE '441 PATENT BY DEFENDANT

20. Plaintiff re-alleges and incorporates herein by reference the allegations contained in paragraphs 1-19 of the Complaint as if fully set forth herein.

21. Airoha has directly and/or indirectly infringed at least claims 6 and 13 of the '441 Patent by virtue of its making, using, offering for sale, and selling at least the AR1010 chip, and/or inducing those actions including (but not limited to) its sale of at least the AR1010 chip to third parties, who Airoha knows and understands then incorporate Airoha's infringing chips into other products offered for sale, sold and used in the United States. Airoha will continue its acts of infringement unless restrained and enjoined by this Court.

22. Silicon Labs has been, and continues to be damaged by Airoha's infringement. Silicon Labs is suffering, and will continue to suffer damages, including irreparable harm for which there is no adequate remedy at law, unless this Court enjoins Airoha's infringement of the '441 Patent.

23. As a result of Airoha's acts of infringement, Silicon Labs has suffered and will continue to suffer damages in an amount to be proved at trial. Silicon Labs has notified Airoha of the infringement, but Airoha has continued to infringe thereafter.

JURY TRIAL

24. Silicon Labs respectfully requests trial by jury as to all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff Silicon Labs prays for the following relief against Defendant:

A. A judgment for Silicon Labs that Defendant is directly and indirectly infringing the Patents-in-Suit in violation of 35 U.S.C. § 271;

- B. A permanent injunction enjoining Defendant, its officers, directors, affiliates, agents, servants, employees, and all those persons in privity or in concert with any of them from directly or indirectly making, using, selling, offering to sell, importing, and having imported into the United States any infringing products or inducing infringement of the Patents-in-Suit;
- C. An award of damages for Defendant's infringement of the Patents-in-Suit, together with interest (both pre- and post-judgment interest), costs, and disbursements as determined by this Court under 35 U.S.C. § 284;
- D. Declaring this to be an exceptional case and awarding Silicon Labs its reasonable attorney fees; and
- E. Such other and further relief in law or in equity to which Silicon Labs may be justly entitled.

Dated: August 16, 2010

Respectfully submitted,

/s/ Jerry R. Selinger

Jerry R. Selinger
Texas Bar No. 18008250
PATTERSON & SHERIDAN, LLP
1700 Pacific Avenue, Suite 2650
Dallas, Texas 75201
Tel: 214-720-2200
Fax: 214-302-0470
E-mail: jselinger@pattersonsheridan.com
ATTORNEY-IN-CHARGE FOR PLAINTIFF
SILICON LABORATORIES INC.

OF COUNSEL:

Pat Heptig
Texas Bar No. 00793940
E-mail: pheptig@Heptiglaw.com
Heptig Law Group, Ltd.
1700 Pacific Avenue, Suite 2650
Dallas, Texas 75201
Tel: 214-720-2200
Fax: 214-302-0470

Monique M. Raub
Texas Bar No. 24041752
E-mail: mraub@pattersonsheridan.com
PATTERSON & SHERIDAN, LLP
3040 Post Oak, Suite 1500
Houston, Texas 77056
Tel: 713-623-4844
Fax: 713-623-4846