

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

COMMONWEALTH RESEARCH GROUP, LLC,

Plaintiff,

v.

MICROCHIP TECHNOLOGY INCORPORATED,
ALTERA CORPORATION,
LATTICE SEMICONDUCTOR CORPORATION,
MINDSPEED TECHNOLOGIES, INC.,
CYPRESS SEMICONDUCTOR CORPORATION,
CONEXANT SYSTEMS, INC.,
TRIAD SEMICONDUCTOR, INC.,
SILICON LABORATORIES INC., ZIILABS,
ZILOG, INC., ENERGY MICRO AS,
MAXIM INTEGRATED PRODUCTS, INC., and
EPSON ELECTRONICS AMERICA, INC.,

Defendants.

C.A. No.

JURY TRIAL DEMANDED

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Commonwealth Research Group, LLC (“CRG”), for its Complaint against Microchip Technology Incorporated, Altera Corporation, Lattice Semiconductor Corporation, Mindspeed Technologies, Inc., Cypress Semiconductor Corporation, Conexant Systems, Inc., Triad Semiconductor, Inc., Silicon Laboratories Inc., ZiiLABS, Zilog, Inc., Energy Micro AS, Maxim Integrated Products, Inc., and Epson Electronics America, Inc., hereby alleges as follows:

Nature of the Case

1. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 271, *et seq.*, to enjoin and obtain damages resulting from

Defendants' unauthorized manufacture, use, sale, offer to sell, and/or importation into the United States for subsequent use or sale of products and/or systems that infringe one or more claims of United States Patent No. 6,026,493, entitled "System for Conserving Energy Among Electrical Components," ("the '493 Patent").

Parties

2. CRG is a Virginia corporation that owns the '493 Patent.

3. Microchip Technology Incorporated is a Delaware Corporation with its principal place of business at 2355 West Chandler Boulevard, Chandler, Arizona 85224. Microchip Technology Incorporated is engaged in the manufacture, sale, and/or importation in the United States of electronic components and systems that infringe the '493 Patent.

4. Altera Corporation is a Delaware Corporation with its principal place of business at 101 Innovation Drive, San Jose, California 95134-2020. Altera is engaged in the manufacture, sale, and/or importation in the United States of electronic components and systems that infringe the '493 Patent.

5. Lattice Semiconductor Corporation is a Delaware Corporation with its principal place of business at 5555 Northeast Moore Court, Hillsboro, Oregon 97124. Lattice Semiconductor is engaged in the manufacture, sale, and/or importation in the United States of electronic components and systems that infringe the '493 Patent.

6. Mindspeed Technologies, Inc. is a Delaware Corporation with its principal place of business at 4000 MacArthur Boulevard, East Tower, Newport Beach, California 92660-3095. Mindspeed Technologies is engaged in the manufacture, sale, and/or importation in the United States of electronic components and systems that infringe the '493

Patent.

7. Cypress Semiconductor Corporation is a Delaware Corporation with its principal place of business at 198 Champion Court, San Jose, California 95134. Cypress Semiconductors is engaged in the manufacture, sale, and/or importation in the United States of electronic components and systems that infringe the '493 Patent.

8. Conexant Systems, Inc. is a Delaware Corporation with its principal place of business at 4000 MacArthur Boulevard, Newport Beach, California 92660. Conexant is engaged in the manufacture, sale, and/or importation in the United States of electronic components and systems that infringe the '493 Patent.

9. Triad Semiconductor, Inc. is a Florida Corporation with its principal place of business at 3900 Westpoint Boulevard, Suite D, Winston-Salem, North Carolina 27103. Triad Semiconductor, Inc. is engaged in the manufacture, sale, and/or importation in the United States of electronic components and systems that infringe the '493 Patent.

10. Silicon Laboratories Inc. is a Delaware Corporation with its principal place of business at 400 West Cesar Chavez, Austin, Texas 78701. Silicon Labs is engaged in the manufacture, sale, and/or importation in the United States of electronic components and systems that infringe the '493 Patent.

11. ZiiLABS is a Singapore Company doing business in California at 1901 McCarthy Boulevard, Milpitas, California 95035. ZiiLABS is engaged in the manufacture, sale, and/or importation in the United States of electronic components and systems that infringe the '493 Patent.

12. Zilog, Inc. is a Delaware Corporation with its principal place of business at 1590 Buckeye Drive, Milpitas, California 95035-7418. Zilog, Inc. is engaged in the

manufacture, sale, and/or importation in the United States of electronic components and systems that infringe the '493 Patent.

13. Energy Micro AS is a Norwegian Corporation doing business in the United States at 1111 Jonathan Drive, Inverness, Illinois 60010. Energy Micro AS is engaged in the manufacture, sale, and/or importation in the United States of electronic components and systems that infringe the '493 Patent.

14. Maxim Integrated Products, Inc. is a Delaware Corporation with its principal place of business at 120 San Gabriel Drive, Sunnyvale, California 94086. Maxim Integrated Products, Inc. is engaged in the manufacture, sale, and/or importation in the United States of electronic components and systems that infringe the '493 Patent.

15. Epson Electronics America, Inc. is a California Corporation with its principal place of business at 2580 Orchard Parkway, San Jose, California 95131. Epson Electronics America, Inc. is engaged in the manufacture, sale, and/or importation in the United States of electronic components and systems that infringe the '493 Patent.

Jurisdiction and Venue

16. 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.

17. This Court has personal jurisdiction over Defendants because the Defendants have established minimum contacts with the forum state Delaware. Defendants, directly and/or through third party manufacturers, manufacture or assemble products that are and have been offered for sale, sold, purchased, and used within the state of Delaware. In addition, Defendants, directly and/or through their distribution networks, regularly place

their products within the stream of commerce, with the knowledge and/or understanding that such products will be sold in Delaware. Finally, each of the following Defendants is a Delaware corporation: Microchip Technology Incorporated, Altera Corporation, Lattice Semiconductor Corporation, Mindspeed Technologies, Inc., Cypress Semiconductor Corporation, Conexant Systems, Inc., Silicon Laboratories Inc., Zilog, Inc., and Maxim Integrated Products, Inc. Thus, Defendants have purposefully availed themselves of the benefits of the state of Delaware and the exercise of jurisdiction over Defendants would not offend traditional notions of fair play and substantial justice.

18. Defendants transact business in the state of Delaware because, among other things, Defendants manufacture and distribute products that are offered for sale, sold, purchased, and used within the state of Delaware. Defendants have also committed tortious acts of patent infringement in Delaware and are subject to personal jurisdiction in Delaware. Venue is thus proper in this district pursuant to 28 U.S.C. §§ 1391(b), (c), (d) and 1400 (b).

Cause of Action

19. Paragraphs 1 through 18 are incorporated by reference as if fully stated herein.

20. The '493 Patent was duly and legally issued on February 15, 2000 by the United States Patent and Trademark Office. A copy of the '493 Patent is attached hereto as Exhibit A.

21. Among other things, the '493 Patent claims a chip architecture that enables computer chips to conserve energy by turning off or reducing power to selected chip elements.

22. The '493 Patent is valid and enforceable.

23. Commonwealth is the exclusive and current owner of all rights, title, and interest, in the '493 Patent, including the right to bring this suit for injunctive relief and damages.

24. Upon information and belief, Defendants have infringed and continue to infringe one or more claims of the '493 Patent by engaging in acts that constitute infringement under 35 U.S.C. § 271, including but not necessarily limited to making, using, selling, and/or offering for sale, in Delaware and elsewhere in the United States, and/or importing into Delaware or elsewhere in the United States, chips and chip components that infringe the '493 Patent.

25. In violation of 35 U.S.C. § 271, Microchip Technology Incorporated has been infringing and continues to infringe one or more claims of the '493 Patent through at least the acts of making, using, selling, offering for sale and/or importing infringing products or systems. Microchip Technology Incorporated's infringing products include, without limitation, the Microchip PIC24F family of products.

26. In violation of 35 U.S.C. § 271, Altera Corporation has been infringing and continues to infringe one or more claims of the '493 Patent through at least the acts of making, using, selling, offering for sale and/or importing infringing products or systems. Altera Corporation's infringing products include, without limitation, the Altera Stratix FPGA family of products and the Arria GX family of products.

27. In violation of 35 U.S.C. § 271, Lattice Semiconductor Corporation has been infringing and continues to infringe one or more claims of the '493 Patent through at least the acts of making, using, selling, offering for sale and/or importing infringing products or systems. Lattice Semiconductor Corporation's infringing products include, without

limitation, the Lattice ispMACH family of products and the Lattice MachX02 family of products.

28. In violation of 35 U.S.C. § 271, Mindspeed Technologies, Inc. has been infringing and continues to infringe one or more claims of the '493 Patent through at least the acts of making, using, selling, offering for sale and/or importing infringing products or systems. Mindspeed Technologies, Inc.'s infringing products include, without limitation, the Mindspeed Transcede 4000 family of products and the Mindspeed Comcerto 5000 family of products.

29. In violation of 35 U.S.C. § 271, Cypress Semiconductor Corporation has been infringing and continues to infringe one or more claims of the '493 Patent through at least the acts of making, using, selling, offering for sale and/or importing infringing products or systems. Cypress Semiconductor Corporation's infringing products include, without limitation, the Cypress CY8C55 family of products.

30. In violation of 35 U.S.C. § 271, Conexant Systems, Inc. has been infringing and continues to infringe one or more claims of the '493 Patent through at least the acts of making, using, selling, offering for sale and/or importing infringing products or systems. Conexant Systems, Inc.'s infringing products include, without limitation, the Conexant CX92755 product.

31. In violation of 35 U.S.C. § 271, Triad Semiconductor, Inc. has been infringing and continues to infringe one or more claims of the '493 Patent through at least the acts of making, using, selling, offering for sale and/or importing infringing products or systems. Triad Semiconductor, Inc.'s infringing products include, without limitation, the Triad Mocha-1 device.

32. In violation of 35 U.S.C. § 271, Silicon Laboratories Inc. has been infringing and continues to infringe one or more claims of the '493 Patent through at least the acts of making, using, selling, offering for sale and/or importing infringing products or systems. Silicon Laboratories Inc.'s infringing products include, without limitation, the Silicon Labs C8051F9xx family of products.

33. In violation of 35 U.S.C. § 271, ZiiLABS has been infringing and continues to infringe one or more claims of the '493 Patent through at least the acts of making, using, selling, offering for sale and/or importing infringing products or systems. ZiiLABS's infringing products include, without limitation, the ZiiLABS ZMS-20 processor and the ZiiLABS ZMS-40 processor.

34. In violation of 35 U.S.C. § 271, Zilog, Inc. has been infringing and continues to infringe one or more claims of the '493 Patent through at least the acts of making, using, selling, offering for sale and/or importing infringing products or systems. Zilog, Inc.'s infringing products include, without limitation, the Zilog ZNEO Series MCU.

35. In violation of 35 U.S.C. § 271, Energy Micro AS has been infringing and continues to infringe one or more claims of the '493 Patent through at least the acts of making, using, selling, offering for sale and/or importing infringing products or systems. Energy Micro AS's infringing products include, without limitation, the Energy Micro EFM32 family of products.

36. In violation of 35 U.S.C. § 271, Maxim Integrated Products, Inc. has been infringing and continues to infringe one or more claims of the '493 Patent through at least the acts of making, using, selling, offering for sale and/or importing infringing products or systems. Maxim Integrated Products, Inc.'s infringing products include, without limitation,

the Maxim MAXQ family of microcontrollers.

37. In violation of 35 U.S.C. § 271, Epson Electronics America, Inc. has been infringing and continues to infringe one or more claims of the '493 Patent through at least the acts of making, using, selling, offering for sale and/or importing infringing products or systems. Epson Electronics America, Inc.'s infringing products include, without limitation, the Seiko Epson Low Power Microcontroller family of products.

38. In addition, and upon information and belief, Defendants have – in violation of 35 U.S.C. § 271 – induced or contributed to the infringement of the '493 Patent by selling infringing chips and/or chip components to other organizations that incorporate the infringing chips and/or chip components in products that are sold in Delaware and throughout the United States.

39. Unless enjoined by this Court, Defendants will continue their infringement of the '493 Patent and Plaintiff has been and will continue to be seriously and irreparably injured.

40. Defendants infringement of the '493 patent is exceptional and entitles CRG to attorneys' fees and costs incurred in prosecuting this action under 35 U.S.C. § 285.

Prayer for Relief

Wherefore CRG prays:

- a. That this Court enter judgment that Defendants have infringed United States Patent No. 6,026,493;
- b. That CRG be awarded all damages adequate to compensate it for Defendants' infringement of the '493 patent, such damages to be determined by a jury, and if necessary to adequately compensate CRG for the infringement, an accounting;

- c. That this case be declared an exceptional case within the meaning of 35 U.S.C. § 285 and that CRG be awarded attorneys' fees, costs, and expenses incurred in connection with this action; and
- d. That CRG be awarded such other and further relief as this Court deems just and proper.

Jury Demand

Plaintiff hereby demands a trial by jury of any issue triable by right by a jury pursuant to Rule 38 of the Federal Rules of Civil Procedure.

Dated: July 26, 2011

/s/ Richard K. Herrmann

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