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CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES
BY:

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

SEMICONDUCTOR TECHNOLOGIES LLC,
Plaintiff,
vs.

HYNIX SEMICONDUCTOR AMERICA INC.;
HYNIX SEMICONDUCTOR MANUFACTURING AMERICA INC.;
AND
HYNIX SEMICONDUCTOR INC.;

Defendants.

Case No.: SACV11-1788 JST (RNBx)

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

JURY TRIAL DEMANDED

Filing Date: TBD
Trial Date: TBD
Discovery Cut-off: TBD
Motion Cut-off: TBD

This is an action for patent infringement in which Semiconductor Technologies LLC submits this Original Complaint against Hynix Semiconductor America Inc.; Hynix Semiconductor Manufacturing America Inc.; and Hynix Semiconductor Inc.

PARTIES

1. Semiconductor Technologies LLC ("STL" or "Plaintiff") is a California limited liability company with a place of business at 500 Newport Center Drive, Suite 700, Newport Beach, CA 92660.

2. On information and belief, Hynix Semiconductor America Inc. ("Hynix America") is a California corporation with a place of business at 3101 North First Street, San Jose, California 95134.

3. On information and belief, Hynix Semiconductor Manufacturing America Inc. ("Hynix Manufacturing") is a California corporation with a place of business at 1830 Willow Creek Circle, Eugene, Oregon 97402.

4. On information and belief, Hynix Semiconductor Inc. ("Hynix Korea") is an entity organized under the laws of a Korea with a place of business at San 136-1, Ami-Ri Bubaleub Ichon-si Kyoungki-do, South Korea 467-860. Hynix America, Hynix Manufacturing and Hynix Korea are referred to collectively as "Defendants" or "Hynix."

JURISDICTION AND VENUE

5. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a). On information and belief, Defendants are subject to this Court's specific and general personal jurisdiction, pursuant to due process and/or

the California Long Arm Statute, due at least to their substantial business in this forum, including at least a portion of the infringements alleged herein. On information and belief, within this district Defendants, directly and/or through intermediaries, have advertised (including through websites), offered to sell, sold and/or distributed infringing products, and/or have induced the sale and use of infringing products. Further, on information and belief, Defendants are subject to the Court's general jurisdiction, including from regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in California.

6. Venue is proper in this district under 28 U.S.C. §§ 1391(b), 1391(c) and 1400(b). On information and belief, from and within this Judicial District each Defendant has committed at least a portion of the infringements at issue in this case. Without limitation, on information and belief, within this district Defendants, directly and/or through intermediaries, have advertised (including through websites), offered to sell, sold and/or distributed infringing products, and/or have induced the sale and use of infringing products.

COUNT I

INFRINGEMENT OF U.S. PATENT NO. 6,828,242

7. STL is the exclusive licensee of United States Patent No. 6,828,242 ("the '242 patent"), entitled "Method for Manufacturing Semiconductor Integrated Circuit Device." The '242 patent was duly and legally issued on December 7, 2004.

8. As exclusive licensee, STL holds all substantial rights in and to the '242 patent, including, without limitation, the exclusive right to grant sublicenses, to sue for and collect past, present and future damages, and the exclusive right to seek and obtain injunctive relief or any other relief for infringement of the '242 patent. Accordingly, STL has standing to bring this lawsuit for infringement of the '242 patent.

9. On information and belief, Hynix has infringed the '242 patent by actions comprising making and using the methods claimed in the '242 patent in the manufacture of semiconductor integrated circuit devices, including DRAM chips such as the Hynix H5TQ1G83BFR 54nm 1G DDR3 SDRAM and similar chips, including practicing the steps of (a) forming a silicon film over a semiconductor substrate via a first insulating film; (b) forming a refractory metal film on the silicon film; (c) forming a second insulating film on the refractory metal film; (d) processing the second insulating film into a predetermined shape; (e) etching the refractory metal film and a predetermined thickness of a part of the silicon film where it is not covered with the predetermined shaped second insulating film so as not to expose the first insulating film; (f) selectively forming a third insulating film on a sidewall of the

silicon film left below the refractory metal film, on sidewalls of the refractory metal film and on sidewalls of the second insulating film; (g) removing a part of the silicon film not covered with the third insulating film; and (h) performing a thermal treatment to a surface of the silicon film in an oxidation atmosphere, thus forming a fourth insulating film in a sidewall of the silicon film by oxidizing a side surface of the silicon film.

10. On information and belief, Hynix has been and now is infringing the '242 patent by actions comprising importing into the United States and offering to sell, selling and using within the United States, during the term of the '242 patent, products, including DRAM chips such as the Hynix H5TQ1G83BFR 54nm 1G DDR3 SDRAM and similar chips, which are made by the foregoing processes claimed in the '242 patent.

11. Accordingly, on information and belief, Hynix is liable for infringement of the '242 patent.

COUNT II

INFRINGEMENT OF U.S. PATENT NO. 7,224,034

12. STL is the exclusive licensee of United States Patent No. 7,224,034 ("the '034 patent"), entitled "Method for Manufacturing Semiconductor Integrated Circuit Device." The '034 patent was duly and legally issued on May 29, 2007.

13. As exclusive licensee, STL holds all substantial rights in and to the '034 patent, including, without limitation, the exclusive right to grant sublicenses, to sue for and collect past, present and future damages, and the exclusive right to seek and obtain injunctive relief or any other relief for infringement of the '034 patent. Accordingly, STL has standing to bring this lawsuit for infringement of the '034 patent.

14. On information and belief, Hynix has been and now is infringing the '034 patent by actions comprising making, using, selling, offering for sale and/or importing semiconductor integrated circuit devices, including DRAM chips such as the Hynix H5TQ1G83BFR 54nm 1G DDR3 SDRAM and similar chips, that comprise (a) a semiconductor substrate having a main surface; (b) a first insulating film formed on the main surface of the semiconductor substrate; (c) a silicon film formed on the first insulating film, which has a first sidewall positioned adjacent to the first insulating film and a second sidewall positioned apart from the first insulating film; (d) a refractory metal film formed above the silicon film and having a third sidewall; (e) a second insulating film formed on the second and third sidewalls; and (f) a third insulating film formed on the first sidewall, wherein the third insulating film has a first portion positioned between the first and second insulating films and a second portion positioned between the first portion and the silicon film, wherein an upper end of the second portion of the third insulating film is higher than that of the first portion