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Attorneys for Plaintiff,

YieldBoost Tech, Inc.

**UNITED STATES DISTRICT COURT,  
EASTERN DISTRICT OF CALIFORNIA,  
FRESNO DIVISION**

YELDBOOST TECH, INC., a  
California Corporation

Plaintiff,

vs.

APPLIED MATERIALS, INC., a  
Delaware Corporation

CASE NO.

**COMPLAINT FOR PATENT  
INFRINGEMENT**

**JURY DEMAND**

Defendant

Plaintiff YieldBoost Tech, Inc. brings this action against Defendant Applied Materials, Inc., and for its causes of action alleges as follows:

**THE PARTIES**

1. YieldBoost Tech, Inc. (“YieldBoost”) is a California corporation with its principal place of business at 2975 R Street, Merced, California 95348.

2. Upon information and belief, Defendant Applied Materials, Inc. (“Applied Materials”) is a Delaware corporation with its principal place of business at 3050 Bowers Avenue; Santa Clara, California 95054-3299.

**THE PATENT**

3. On May 30, 2006, United States Patent No. 7,053,645, entitled “System and Method for Detecting Defects in a Thin-Film-Transistor Array” was duly and legally issued (“the ‘645 patent”). A true and correct copy of the ‘645 patent is attached as **Exhibit A**.

4. Pursuant to 35 U.S.C. § 282, the ‘645 patent is presumed valid.

5. YieldBoost is the assignee and sole owner of all substantial rights in the ‘645 patent, including the exclusive right to grant sublicenses to those patents and to file lawsuits and seek damages for past, present, and future infringement of one or both patents against the Defendant.

**JURISDICTION AND VENUE**

6. This action arises under the patent laws of the United States, Title 35 United States Code, particularly §§ 271 and 281. This Court has jurisdiction over the claim for patent infringement under 28 U.S.C. §§ 1331 and 1338(a).

7. Personal jurisdiction exists generally over the Defendant because, on information and belief, the Defendant has sufficient minimum contacts with the

1 forum as a result of business conducted within the State of California and within  
2 this District. Personal jurisdiction exists specifically over the Defendant because,  
3 on information and belief, the Defendant, directly or indirectly, itself or through  
4 subsidiaries or intermediaries, makes, uses, offers for sale, or sells products or  
5 services within the State of California that infringe the patent-in-suit.

6 8. Venue is proper in this Court under Title 28 United States Code §§  
7 1391(b) and (c) and 1400(b).

8 **PATENT INFRINGEMENT COUNT**

9 9. Applied Materials, on information and belief, makes, uses, sells, or  
10 offers to sell products that infringe at least claims 14, 15, 16, 17, 18, 19, 20, 21,  
11 22, 23, 24, 25, 26, 27, 28, and/or 29 of the ‘645 patent, including for example and  
12 without limitation its AKT-1600 EBT, AKT-3500 EBT, AKT-4300 EBT, AKT-  
13 15K EBT, AKT-25K EBT, AKT-40 EBT, AKT-50 EBT, and/or AKT-55K EBT  
14 electron beam scanner devices, as well as any other devices that use similar  
15 technology as described and claimed in the ‘645 patent. Applied Materials also  
16 contributes to infringement and/or induce others to infringe the ‘645 patent by  
17 selling its infringing products for use by others.

18 10. By so making, using, selling, and/or offering to sell the  
19 aforementioned products, Applied Materials has been and continues to infringe,  
20 either literally or by equivalents, directly and/or by inducement and/or  
21 contribution, YieldBoost’s rights in the ‘645 patent.

22 11. In addition to Applied Materials’ direct infringement of the ‘645  
23 patent, as described above, it also is liable by actively inducing direct  
24 infringement by others who sell, offer for sale, purchase, and/or use the  
25 aforementioned products.

26 12. The infringement of the ‘645 patent alleged above has injured  
27 YieldBoost, and YieldBoost is thus entitled to recover damages adequate to  
28 compensate for Applied Materials’ infringement, which in no event can be less

1 than a reasonable royalty.

2 **PRAYER FOR RELIEF**

3 WHEREFORE, Plaintiff YieldBoost Tech, Inc. (“YieldBoost”) prays for  
4 entry of judgment:

5 A. That Defendant Applied Materials has infringed one or more claims  
6 of the ‘645 patent;

7 B. That Defendant Applied Materials account for and pay YieldBoost  
8 all damages caused by infringing the ‘645 patent, which by statute can be no less  
9 than a reasonable royalty;

10 C. That Applied Materials be granted pre-judgment and post-judgment  
11 interest on the damages caused to it by reason of Applied Materials’ infringement  
12 of the ‘645 patent;

13 D. That Plaintiff YieldBoost be granted its attorneys’ fees in this action;

14 E. That Plaintiff YieldBoost be awarded its costs in this action;

15 F. That YieldBoost be granted such other and further relief that is just  
16 and proper under the circumstances.

17 Respectfully submitted:

18 December 20, 2011

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22 Ivan Posey  
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**JURY DEMAND**

Pursuant to Rule 38(b), F. R. Civ. P., plaintiff hereby demands a jury trial on all issues triable by a jury.

Respectfully submitted:  
December 20, 2011



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Attorneys for Plaintiff,  
Dennis Fernandez

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