

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

FAIRCHILD SEMICONDUCTOR)	
CORPORATION and SYSTEM GENERAL)	
CORPORATION,)	
)	
Plaintiffs,)	Case No.:
)	
v.)	JURY TRIAL DEMANDED
)	
POWER INTEGRATIONS, INC.,)	
)	
Defendant.)	

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs, Fairchild Semiconductor Corporation (“Fairchild Semiconductor”) and System General Corporation (“SG”) (collectively “Fairchild”), hereby complain and allege against Defendant Power Integrations, Inc. (“Power Integrations”) as follows:

NATURE OF LAWSUIT

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 Power Integrations’ direct and/or indirect infringement of one or more claims of United States Patents held by Fairchild.

PARTIES AND PATENTS

2. Fairchild is a leading global supplier of high performance power products providing both integrated and discrete solutions for lighting applications, including LED lighting solutions. Fairchild’s commitment to energy savings and meeting the most stringent regulations has resulted in the development of innovative products that maximize performance while reducing board space, design complexity, and system costs.

3. Fairchild Semiconductor is incorporated under the laws of the state of Delaware, with its headquarters located at 3030 Orchard Parkway, San Jose, CA 95134.

4. SG is incorporated under the laws of Taiwan, with its headquarters located at 5F, No. 9, Alley 6, Lane 45 Bao Shing Road, Shin Dian, Taipei, Taiwan.

5. SG is a wholly owned subsidiary of Fairchild Semiconductor.

6. Upon information and belief, Defendant Power Integrations is incorporated under the laws of the state of Delaware, and has a regular and established place of business at 5245 Hellyer Avenue, San Jose, California 95138.

7. Fairchild is the owner of numerous patents issued by the United States Patent and Trademark Office covering power supply and LED technology.

8. Fairchild Semiconductor owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 7,525,259 issued on April 28, 2009, for a “Primary Side Regulated Power Supply System With Constant Current Output” (the “259 patent”), a true and correct copy of which is attached hereto as Exhibit 1. SG owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 7,286,123 issued on October 23, 2007 for “LED Driver Circuit Having Temperature Compensation” (the “123 patent”), a true and correct copy of which is attached hereto as Exhibit 2. SG owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 7,616,461 issued on November 10, 2009 for “Control Method and Circuit With Indirect Input Voltage Detection By Switching Current Slope Detection” (the “461 patent”), a true and correct copy of which is attached hereto as Exhibit 3. SG owns all right, title and interest in, and has standing to sue for infringement of United States Patent No. 7,259,972 issued on August 21, 2007 for “Primary-Side-Control Power Converter Having a Switching Controller Using

Frequency Hopping and Voltage and Current Control Loops” (the “’972 patent”), a true and correct copy of which is attached hereto as Exhibit 4. The ’259 patent, ’123 patent, ’461 patent, and ’972 patent are collectively referred to as “the Patents-in-Suit.”

JURISDICTION AND VENUE

9. This Court has exclusive jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331 and 1338(a).

10. This Court has personal jurisdiction over Power Integrations because Power Integrations is incorporated in the State of Delaware and has purposely availed itself of the privilege of conducting activities within this State and District.

11. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b), 1391(c), 1391(d) and 1400(b) because Power Integrations resides in this district.

COUNT ONE – INFRINGEMENT OF THE ’259 PATENT

12. Fairchild incorporates by reference its allegations in Paragraphs 1-11 as if fully restated in this paragraph.

13. Fairchild Semiconductor is the assignee of and the owner of all right, title and interest to the ’259 patent. Fairchild Semiconductor has the legal right to enforce the patent, sue for infringement, and seek equitable relief and damages.

14. On information and belief, Power Integrations has been and is now infringing, inducing infringement, and contributing to the infringement of one or more of the claims of the ’259 patent through at least the acts of making, using, selling, offering for sale and/or importing infringing devices including, at least, LinkSwitch-PH products covered by one or more claims of the ’259 patent, and/or contributing to or inducing the same by third parties.

15. Power Integrations’ acts of infringement have injured and damaged Fairchild.

16. Power Integrations' wrongful conduct has caused Fairchild to suffer irreparable harm resulting from the loss of its lawful patent rights to exclude others from making, using, selling, offering to sell and importing the patented inventions. On information and belief, Power Integrations will continue these infringing acts unless enjoined by this Court.

COUNT TWO – INFRINGEMENT OF THE '123 PATENT

17. Fairchild incorporates by reference its allegations in Paragraphs 1-16 as if fully restated in this paragraph.

18. SG is the assignee of and the owner of all right, title and interest to the '123 patent. SG has the legal right to enforce the patent, sue for infringement, and seek equitable relief and damages.

19. On information and belief, Power Integrations has been and is now infringing, inducing infringement, and contributing to the infringement of one or more of the claims of the '123 patent through at least the acts of making, using, selling, offering for sale and/or importing infringing devices including, at least, LinkSwitch-PH products covered by one or more claims of the '123 patent, and/or contributing to or inducing the same by third parties.

20. Power Integrations' acts of infringement have injured and damaged Fairchild.

21. Power Integrations' wrongful conduct has caused Fairchild to suffer irreparable harm resulting from the loss of its lawful patent rights to exclude others from making, using, selling, offering to sell and importing the patented inventions. On information and belief, Power Integrations will continue these infringing acts unless enjoined by this Court.

COUNT THREE – INFRINGEMENT OF THE '461 PATENT

22. Fairchild incorporates by reference its allegations in Paragraphs 1-21 as if fully restated in this paragraph.

23. SG is the assignee of and the owner of all right, title and interest to the '461 patent. SG has the legal right to enforce the patent, sue for infringement, and seek equitable relief and damages.

24. On information and belief, Power Integrations has been and is now infringing, inducing infringement, and contributing to the infringement of one or more of the claims of the '461 patent through at least the acts of making, using, selling, offering for sale and/or importing infringing devices including, at least, LinkSwitch-PH products covered by one or more claims of the '461 patent, and/or contributing to or inducing the same by third parties.

25. Power Integrations' acts of infringement have injured and damaged Fairchild.

26. Power Integrations' wrongful conduct has caused Fairchild to suffer irreparable harm resulting from the loss of its lawful patent rights to exclude others from making, using, selling, offering to sell and importing the patented inventions. On information and belief, Power Integrations will continue these infringing acts unless enjoined by this Court.

COUNT FOUR – INFRINGEMENT OF THE '972 PATENT

27. Fairchild incorporates by reference its allegations in Paragraphs 1-26 as if fully restated in this paragraph.

28. SG is the assignee of and the owner of all right, title and interest to the '972 patent. SG has the legal right to enforce the patent, sue for infringement, and seek equitable relief and damages.

29. On April 27, 2011 Power Integrations' LinkSwitch-II and LinkSwitch-CV products, including the LNK603-606/613-616, SC1092, SC1097-99, SC1103, LNK632DG and LNK623-626 were found to infringe claims 6, 7, 18 and 19 of the '972 patent. *Power Integrations, Inc. v. Fairchild Semiconductor International, Inc.*, 08-309, D.I. 577 at 10. That

same day, with full knowledge of the finding of infringement, Power Integrations issued a press release, attached hereto as Exhibit 5, encouraging customers to continue using the infringing products by stating that its customers “are unaffected by the verdict.” By issuing this press release and by taking other actions to actively encourage customers to continue using the infringing products, Power Integrations has been and is now inducing infringement of claims 6, 7, 18, and 19 of the ’972 patent.

30. Prior to beginning and continuing its inducing acts, Power Integrations had knowledge of the ’972 patent and issues of infringement related thereto, including at least by virtue of the facts and circumstances raised during the prior adjudged infringement of the ’972 patent by Power Integrations. Accordingly, Power Integrations’ acts of inducing infringement have been, and continue to be willful, so as to warrant the enhancement of damages awarded as a result of its inducing infringement.

31. Power Integrations’ acts of infringement have injured and damaged Fairchild.

32. Power Integrations’ wrongful conduct has caused Fairchild to suffer irreparable harm resulting from the loss of its lawful patent rights to exclude others from making, using, selling, offering to sell and importing the patented inventions. On information and belief, Power Integrations will continue these infringing acts unless enjoined by this Court.

PRAYER FOR RELIEF

WHEREFORE, Fairchild prays for judgment against Power Integrations, granting Fairchild the following relief:

A. That this Court adjudge and decree that Power Integrations has infringed, contributorily infringed and induced infringement of the ’259 patent;

B. That this Court adjudge and decree that Power Integrations has infringed, contributorily infringed and induced infringement of the '123 patent;

C. That this Court adjudge and decree that Power Integrations has infringed, contributorily infringed and induced infringement of the '461 patent;

D. That this Court adjudge and decree that Power Integrations has induced infringement of the '972 patent;

E. That this Court permanently enjoin Power Integrations, their parents, subsidiaries, affiliates, agents, servants, employees, attorneys, representatives, successors and assigns, and all others in active concert or participation with them from infringing the Patents-in-Suit;

F. That this Court order an award to Fairchild of such damages as it shall prove at trial against Power Integrations that are adequate to compensate Fairchild for Power Integrations' infringement, said damages to be no less than a reasonable royalty together with interest and costs;

G. That any such money judgment related to the '972 patent against Power Integrations' be trebled as a result of the willful nature of Defendants' infringement;

H. That this Court order an accounting to determine the damages to be awarded to Fairchild as a result of Power Integrations' infringement, including an accounting for infringing sales not presented at trial and award additional damages for any such infringing sales;

I. That this Court assess pre-judgment and post-judgment interest and costs against Power Integrations, together with an award of such interest and costs, in accordance with 35 U.S.C. § 284;

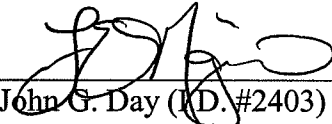
J. That this Court render a finding that this case is "exceptional" and award to Fairchild its costs and reasonable attorneys' fees, as provided by 35 U.S.C. § 285; and

K. That this Court grant such other and further relief as the Court may deem proper and just.

JURY DEMAND

Fairchild demands a trial by jury of all matters to which it is entitled to trial by jury, pursuant to Fed. R. Civ. P. 38.

ASHBY & GEDDES



John G. Day (I.D. #2403)

Lauren E. Maguire (I.D. #4261)

Andrew C. Mayo (I.D. #5207)

500 Delaware Avenue, 8th Floor

P.O. Box 1150

Wilmington, DE 19899

(302) 654-1888

jday@ashby-geddes.com

lmaguire@ashby-geddes.com

amayo@ashby-geddes.com

Attorneys for Plaintiffs

Of Counsel:

Blair M. Jacobs

Christina A. Ondrick

Rose S. Whelan

MCDERMOTT WILL & EMERY LLP

600 13th Street, N.W.

Washington, DC 20005-3096

(202) 756-8000

bjacobs@mwe.com

condrick@mwe.com

rwhelan@mwe.com

Terrence P. McMahon

Michael F. Martin

MCDERMOTT WILL & EMERY LLP

275 Middlefield Rd., Ste. 100

Menlo Park, CA 94025

(650) 815-7400

tmcMahon@mwe.com

mfmartin@mwe.com

Leigh J. Martinson

MCDERMOTT WILL & EMERY LLP

28 State Street

Boston, MA 02109-1775

(617) 535-4000

lmartinson@mwe.com

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