

1 Duncan M. McNeill
2 514 Van Dyke Avenue
3 San Francisco, CA 94124
4 415 752-5063 Telephone
5 415 752-5063 Facsimile
6 dmcneill1@netzero.com
7 Fed. Bar No. 136416

8 Attorney for the Plaintiff

E-filing

14
1590

FILED
2011 JUN -1 P 1:41
CLERK U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

9 UNITED STATES DISTRICT COURT
10 FOR THE NORTHERN DISTRICT OF CALIFORNIA

LB
10

11 JAMES B. GOODMAN,
12

13 Plaintiff,

14 vs.

15 INTEL CORPORATION,
16

17 ELPIDA MEMORY, INC.,
18

19 EMERGING MEMORY AND LOGIC
20 SOLUTIONS INC.,
21

22 FIDELIX CO., LTD.,
23

24 INTEGRATED SILICON SOLUTION, INC.,
25

26 and
27

28 EON SILICON SOLUTIONS INC.
29

30 Defendants.

Civil Action No.

11

2607

COMPLAINT FOR PATENT
INFRINGEMENT AND DEMAND FOR
JURY TRIAL

31 NOW COMES Plaintiff, JAMES B. GOODMAN ("Goodman"), through his attorneys,
32 and files this Complaint for Patent Infringement and Demand for Jury Trial against Intel
33 Corporation, Elpida Memory, Inc., Emerging Memory and Logic Solutions Inc., Fidelix Co.,
34 Ltd., Integrated Silicon Solution, Inc., and Eon Silicon Solutions Inc.
35

Complaint for Patent Infringement and Demand for Jury Trial
James B. Goodman v. Intel Corporation et al.

Page 1

PARTIES

1. Plaintiff Goodman is an individual residing in the State of Texas.
2. On information and belief, Intel Corporation (hereinafter "Intel") has a corporate office at 2200 Mission College Blvd., Santa Clara, CA 95052.
3. On information and belief, Elpida Memory, Inc. (hereinafter "Elpida") has a general agent for this country at 1175 Sonora Court, Sunnyvale, CA 94086 operating under the name "Elpida Memory (USA) Inc.".
4. On information and belief, Emerging Memory and Logic Systems Inc. (hereinafter "EMLS") has a wholly owned subsidiary operating under the name "EML America, Inc." located at 3003 North First Street, San Jose, CA 95134 for carrying out design work and acting as the general agent in this country.
5. On information and belief, Fidelix Co., Ltd. (hereinafter "Fidelix") has an office at 3003N First Street STE 214, San Jose, CA 95134 acting as the general agent in this country.
6. On information and belief, Integrated Silicon Solutions, Inc. (hereinafter (ISSI") has a general agent for this country operating under the name "Silicon Integrated Solutions, Inc." at 1940 Zanker Road, San Jose, CA 95112.
7. On information and belief, Eon Silicon Solutions Inc. (hereinafter "Eon") has a general agent operating under the name "Premier Technical Sales, Inc." at 1225 Pear Avenue, STE 100, Mountain View, CA 94034.

JURISDICTION AND VENUE

8. This is an action for patent infringement of United States Patent No. 6,243,315 (hereinafter "The '315 Patent") pursuant to the laws of the United States of America as set forth in Title 35 Sections 271 and 281 of the United States Code. This court has subject matter jurisdiction over this action pursuant to 28 U.S.C. Sec. 1338(a) and 28 U.S.C. Sec. 1331. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b), (c) and 1400(b).
9. On information and belief, the Defendants are subject to this Court's specific and

1 general personal jurisdiction, pursuant to due process and/or the California Long
2 Arm Statute, due to at least their respective business presence in this forum,
3 including the infringement alleged herein.

- 4 10. On information and belief, the Defendants, directly and/or through intermediaries,
5 advertise at least through respective web sites, offered to sell, sold and/or
6 distributed infringing products, and/or have induced the sale and use of infringing
7 products. In addition, and on information and belief, Defendants are subject to the
8 Court's general jurisdiction, including from regularly doing or soliciting business,
9 engaging in other persistent courses of conduct, and/or deriving substantial
10 revenue from goods and services provided to individuals in California.
- 11 11. Venue is proper in this district because on information and belief, each Defendant
12 has committed at least a portion of the infringements at issue in this case, and has
13 a corporate presence in this forum.
- 14 12. Without limitation, on information and belief, within this district Defendants,
15 directly and/or through intermediaries, have advertised at least through website,
16 offered to sell and/or distributed infringing products, and/or have induced the sale
17 and use of infringing products.

18 **INTRADISTRICT ASSIGNMENT**

- 19 13. This is an action for Patent Infringement, which is an excepted category under
20 Civil L.R. 3-2(c). Pursuant to Civil L.R. 3-2(c), this action is assigned on a
21 district-wide basis.

22 **CAUSES OF ACTION FOR PATENT INFRINGEMENT**

- 23 14. On June 5, 2001, the '315 Patent entitled "COMPUTER MEMORY SYSTEM
24 WITH A LOW POWER MODE", was duly and legally issued to James B.
25 Goodman, as the sole patentee.
- 26 15. Plaintiff Goodman is the sole owner of the '315 Patent, and has standing to bring
27 this action.

28 **COUNT ONE**

1 16. Plaintiff Goodman repeats and incorporates herein the allegations contained in
2 paragraphs 1 through 15 above.

3 17. Defendant Intel is infringing at least claim 1 of the '315 Patent at the least with its
4 products known in the industry as "Pseudo SRAM" or "psram".

5 18. Defendant Elpida is infringing at least claim 1 of the '315 Patent at least with its
6 product called "Mobile Ram TM".

7 19. Defendant EMLS is infringing at least claim 1 of the '315 Patent at least with its
8 product called "Pseudo SRAM" or "psram".

9 20. Defendant Fidelix is infringing at least claim 1 of the '315 Patent at least with its
10 product called "Pseudo SRAM" or "psram".

11 21. Defendant ISSI is infringing at least claim 1 of the '315 Patent at least with its
12 product called "Pseudo SRAM" or "psram".

13 22. Defendant Eon is infringing at least claim 1 of the '315 Patent at least with its
14 product called "Pseudo SRAM" or "psram".

15 **JURY DEMAND**

16 23. Pursuant to Fed. R. Civ. P. 38, Plaintiff hereby demands a jury trial as to all issues
17 in this lawsuit.


PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests this Court to:

- a. enter judgment for Plaintiff on this Complaint;
- b. order that an accounting be had for the damages caused to the Plaintiff by the infringing activities of the Defendant;
- c. award Plaintiff interest and costs; and
- d. award Plaintiff such other and further relief as this Court may deem just and equitable.

THE PLAINTIFF
JAMES B. GOODMAN

Of Counsel :
David Fink
Fink & Johnson
7519 Apache Plume
Houston, Texas 77071
713.729.4991 Tel
713.729.4951 Fax
federallitigationlaw@gmail.com



Duncan M. McNeill
1514 Van Dyke Avenue
San Francisco, CA 94124
415 752-5063 Telephone
415 752-5063 Facsimile
dmcneill1@netzero.com
Fed. Bar No. 136416

Attorney for the Plaintiff