

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

SEMCON TECH, LLC,

Plaintiff,

v.

APPLIED MATERIALS, INC., APPLIED  
MATERIALS SOUTH EAST ASIA PTE.  
LTD., APPLIED MATERIALS TAIWAN,  
LTD., APPLIED MATERIALS CHINA,  
APPLIED MATERIALS FRANCE  
S.A.R.L., AND APPLIED MATERIALS  
ITALIA SRL,

Defendants.

C.A. No. \_\_\_\_\_

**JURY TRIAL DEMANDED**

**COMPLAINT FOR PATENT INFRINGEMENT**

This is an action for patent infringement arising under the Patent Laws of the United States of America, 35 U.S.C. § 1 *et seq.* in which Plaintiff Semcon Tech, LLC makes the following allegations against Defendants Applied Materials, Inc., Applied Materials South East Asia Pte. Ltd., Applied Materials Taiwan, Ltd., Applied Materials China, Applied Materials France S.A.R.L., and Applied Materials Italia Srl (collectively, “AMAT” or “Defendants”).

**PARTIES**

1. Plaintiff Semcon Tech, LLC (“Semcon”) is a Delaware limited liability company.

2. On information and belief, Defendant Applied Materials, Inc. (“AMAT-US”) is a Delaware corporation with its principal place of business at 3050 Bowers Avenue, Santa Clara, California. On information and belief, AMAT can be served through its registered agent, The Corporation Trust Company, Corporation Trust Center,

1209 Orange Street, Wilmington, Delaware 19801.

3. On information and belief, Defendant Applied Materials South East Asia Pte. Ltd. (“AMAT-SG”) is a corporation organized under the laws of Singapore with its principal place of business at 8 Upper Changi Road North, Singapore 506906.

4. On information and belief, Defendant Applied Materials Taiwan, Ltd. (“AMAT-TW”) is a corporation organized under the laws of Taiwan with its principal place of business at No. 32, R&D Road II, Science-Based Industrial Park, Hsinchu, Taiwan.

5. On information and belief, Defendant Applied Materials China (“AMAT-CN”) is a corporation organized under the laws of the People’s Republic of China with its principal place of business at Building 22, 1388 Zhangdong Road, Zhangjiang Hi-Tech Park, Pudong, Shanghai 201203, China.

6. On information and belief, Defendant Applied Materials France S.A.R.L. (“AMAT-FR”) is a corporation organized under the laws of France with its principal place of business at 11B, Chemin de la Dhuy, 38246 Meylan Cedex (Grenoble), France.

7. On information and belief, Applied Materials Italia Srl (“AMAT-IT”) is a corporation organized under the laws of Italy with its principal place of business at Via Postumia Ovest, 244, 31048 Olmi di S.Biagio di Callalta, Treviso, Italy.

8. Upon information and belief, at all pertinent times herein mentioned, Defendants, and each of them, were the agents and/or alter egos of their Co-Defendants and shared a unity of interest with their Co-Defendants, and, in doing the things hereinafter alleged, were acting within the course and scope of such agency and with the permission and consent of their Co-Defendants. Defendants, and each of them, had and

have actual or constructive knowledge of the events, transactions and occurrences alleged herein, and either knew or should have known of the conduct of their Co-Defendants and cooperated in, benefited from and/or ratified such conduct. At all pertinent times, AMAT-US on the one hand and AMAT-SG, AMAT-TW, AMAT-CN, AMAT-FR, and AMAT-IT on the other hand have been indistinguishable entities for purposes of the claims and allegations herein. *See* <http://www.appliedmaterials.com/about/contact/locations> (identifying “Principal Locations”, including the locations of AMAT-US, AMAT-SG, AMAT-TW, AMAT-CN, AMAT-FR, and AMAT-IT, and indicating, “To support our customers, Applied Materials employs approximately 13,700[] people throughout Canada, China; Europe and Israel; India; Malaysia and Singapore; Japan; Korea; Taiwan; and the United States.”)

### **JURISDICTION AND VENUE**

9. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has original subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

10. On information and belief, AMAT is subject to this Court’s specific and general personal jurisdiction pursuant to due process and/or the Delaware Long Arm Statute, due to having availed itself of the rights and benefits of Delaware due to its substantial business in this forum, including: (i) at least a portion of the infringements alleged herein; and (ii) 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 Delaware and in this Judicial District. Defendant AMAT-US has further availed itself of the rights and benefits of Delaware by incorporating under Delaware law.

11. Venue is proper in this district under 28 U.S.C. §§ 1391(b), 1391(c) and 1400(b). Defendant AMAT-US is incorporated in this District, and on information and belief, all Defendants have transacted business in this district and have committed and/or induced acts of patent infringement in this district.

**COUNT I**  
**INFRINGEMENT OF U.S. PATENT NO. 7,156,717**

12. Plaintiff Semcon realleges and incorporates by reference paragraphs 1-11 above, as if fully set forth herein.

13. Plaintiff Semcon is the owner by assignment of United States Patent No. 7,156,717 (“the ’717 patent”) titled “[In] Situ Finishing Aid Control.” The ’717 patent was duly and legally issued by the United States Patent and Trademark Office on January 2, 2007. A true and correct copy of the ’717 patent is included as Exhibit A.

14. Defendant AMAT makes, uses, sells, offers for sale, and/or imports into the United States the AMAT Reflexion LK and Reflexion GT chemical-mechanical polishing (“CMP”) systems. These systems are used in the CMP portions of fabrication processes for integrated circuits.

15. On information and belief, AMAT-US or its corporate affiliates has sold and continues to sell and/or offer for sale to International Business Machines Corporation (“IBM”) AMAT Reflexion LK CMP systems.

16. On information and belief, IBM uses AMAT Reflexion LK CMP systems to fabricate integrated circuits in the United States.

17. On information and belief, AMAT knew on or soon after April 27, 2012 that IBM’s use of the AMAT Reflexion LK CMP systems to fabricate integrated circuits constitutes infringement of the ’717 patent. On information and belief, AMAT had such

knowledge, at least in part, by notice of the Complaint for Patent Infringement (D.I. 1) filed on April 27, 2012 in *Semcon Tech, LLC v. International Business Machines Corporation*, C.A. No. 1:12-cv-00530-RGA (D. Del.).

18. On information and belief, AMAT-US or its corporate affiliates has sold and continues to sell and/or offer for sale to Micron Technology, Inc. (“Micron”) AMAT Reflexion LK CMP systems.

19. On information and belief, Micron uses AMAT Reflexion LK CMP systems to fabricate integrated circuits in the United States.

20. On information and belief, AMAT knew on or soon after April 27, 2012 that Micron’s use of the AMAT Reflexion LK CMP systems to fabricate integrated circuits constitutes infringement of the ‘717 patent. On information and belief, AMAT had such knowledge, at least in part, by notice of the Complaint for Patent Infringement (D.I. 1) filed on April 27, 2012 in *Semcon Tech, LLC v. Micron Technology, Inc.*, C.A. No. 1:12-cv-00532-RGA (D. Del.).

21. On information and belief, AMAT-SG or its corporate affiliates has sold and continues to sell and/or offer for sale to GlobalFoundries Singapore Pte. Ltd. (f.k.a. Chartered Semiconductor Manufacturing Ltd.) (“GF-SG”) AMAT Reflexion LK and/or GT CMP systems.

22. On information and belief, GF-SG uses AMAT Reflexion LK and/or GT CMP systems to fabricate integrated circuits in Singapore, which GF-SG then sells to customers in the United States or customers whom GF-SG knows or should know import such integrated circuits into the United States. Such customers include, without limitation, Freescale Semiconductor, Inc., Qualcomm Incorporated, Qualcomm Atheros,

Inc., International Business Machines Corporation, Broadcom Corporation, NVIDIA Corporation, and STMicroelectronics N.V.

23. On information and belief, AMAT knew on or soon after April 18, 2013 that GF-SG's use of the AMAT Reflexion LK and/or GT CMP systems to fabricate integrated circuits constitutes infringement of the '717 patent. On information and belief, AMAT had such knowledge, at least in part, by notice of the Complaint for Patent Infringement (D.I. 1) filed on April 18, 2013 in *Semcon Tech LLC v. GlobalFoundries Singapore PTE Ltd. et al*, C.A. No. 1:2013-cv-00699-RGA (D. Del.).

24. On information and belief, AMAT-TW or its corporate affiliates has sold and continues to sell and/or offer for sale to Taiwan Semiconductor Manufacturing Company, Ltd. ("TSMC"), ProMOS Technologies Inc. ("ProMOS"), Powerchip Technology Corporation ("Powerchip"), and Rexchip Electronics Corporation ("Rexchip") AMAT Reflexion LK and/or GT CMP systems.

25. On information and belief, TSMC uses AMAT Reflexion LK and/or GT CMP systems to fabricate integrated circuits in Taiwan, which TSMC then sells to customers in the United States or customers whom TSMC knows or should know import such integrated circuits into the United States. Such customers include, without limitation, Intel Corporation, Qualcomm Incorporated, and/or Xilinx, Inc.

26. On information and belief, ProMOS uses AMAT Reflexion LK and/or GT CMP systems to fabricate DRAM semiconductor wafers in Taiwan, which ProMOS then sells to customers in the United States, directly or through its authorized sales agents Memphis Electronic Inc., Viza Electronics, LLC, and XEL Group-US.

27. On information and belief, Powerchip and Rexchip use AMAT Reflexion

LK and/or GT CMP systems to fabricate DRAM semiconductor wafers in Taiwan, which they then sell to customers in the United States.

28. On information and belief, AMAT knew on or soon after April 18, 2013 that TSMC's use of the AMAT Reflexion LK and/or GT CMP systems to fabricate integrated circuits constitutes infringement of the '717 patent. On information and belief, AMAT had such knowledge, at least in part, by notice of the Complaint for Patent Infringement (D.I. 1) filed on April 18, 2013 in *Semcon Tech LLC v. Taiwan Semiconductor Manufacturing Company Ltd et al*, C.A. No. 1:2013-cv-00705-RGA (D. Del.).

29. On information and belief, AMAT knew on or soon after April 18, 2013 that ProMOS's use of the AMAT Reflexion LK and/or GT CMP systems to fabricate DRAM semiconductor wafers constitutes infringement of the '717 patent. On information and belief, AMAT had such knowledge, at least in part, by notice of the Complaint for Patent Infringement (D.I. 1) filed on April 18, 2013 in *Semcon Tech LLC v. ProMOS Technologies Inc.*, C.A. No. 1:2013-cv-00702-RGA (D. Del.).

30. On information and belief, AMAT knew on or soon after April 18, 2013 that Powerchip and Rexchip's use of the AMAT Reflexion LK and/or GT CMP systems to fabricate DRAM semiconductor wafers constitutes infringement of the '717 patent. On information and belief, AMAT had such knowledge, at least in part, by notice of the Complaint for Patent Infringement (D.I. 1) filed on April 18, 2013 in *Semcon Tech LLC v. Powerchip Technology Corporation et al*, C.A. No. 1:2013-cv-00701-RGA (D. Del.).

31. On information and belief, AMAT-CN or its corporate affiliates has sold and continues to sell and/or offer for sale to Semiconductor Manufacturing International

Corporation, Semiconductor Manufacturing International (Shanghai) Corporation, Semiconductor Manufacturing International (Beijing) Corporation, Semiconductor Manufacturing International (Tianjin) Corporation, Semiconductor Manufacturing International (Shenzhen) Corporation, and SilTech Semiconductor (Shanghai) Corporation Limited (collectively, “SMIC”) AMAT Reflexion LK and/or GT CMP systems.

32. On information and belief, SMIC uses AMAT Reflexion LK and/or GT CMP systems to fabricate DRAM semiconductor wafers in China, which SMIC then sells to customers in the United States or customers whom SMIC knows or should know import such integrated circuits into the United States. Such customers include, without limitation, Qualcomm Incorporated, Broadcom Corporation, Infineon Technologies AG, Elpida Memory, Inc., Toshiba Semiconductor & Storage Products Company, Fujitsu Limited, Brite Semiconductor (Shanghai) Corporation, and GalaxyCore Microelectronics Inc.

33. On information and belief, AMAT knew on or soon after April 18, 2013 that SMIC’s use of the AMAT Reflexion LK and/or GT CMP systems to fabricate integrated circuits constitutes infringement of the ‘717 patent. On information and belief, AMAT had such knowledge, at least in part, by notice of the Complaint for Patent Infringement (D.I. 1) filed on April 18, 2013 in *Semcon Tech LLC v. Semiconductor Manufacturing International Corporation et al*, C.A. No. 1:2013-cv-00704-RGA (D. Del.).

34. On information and belief, AMAT-FR, AMAT-IT, and/or their corporate affiliates has sold and continues to sell and/or offer for sale to STMicroelectronics N.V.,



STMicroelectronics International N.V., and/or their corporate affiliates (“STMicro”) AMAT Reflexion LK and/or GT CMP systems.

35. On information and belief, STMicro uses AMAT Reflexion LK and/or GT CMP systems to fabricate integrated circuits in France and/or Italy, which STMicro then sells to customers in the United States or customers whom STMicro knows or should know import such integrated circuits into the United States. Such customers include, without limitation, Koninklijke Philips Electronics N.V., Freescale Semiconductor, Inc., and/or their affiliates.

36. On information and belief, AMAT knew on or soon after April 18, 2013 that STMicro’s use of the AMAT Reflexion LK and/or GT CMP systems to fabricate integrated circuits constitutes infringement of the ‘717 patent. On information and belief, AMAT had such knowledge, at least in part, by notice of the Complaint for Patent Infringement (D.I. 1) filed on April 18, 2013 in *Semcon Tech LLC v. STMicroelectronics N.V. et al*, C.A. No. 1:2013-cv-00706-RGA (D. Del.).

37. AMAT specifically intended and intends customers of its AMAT Reflexion LK and Reflexion GT CMP systems, including but not limited to IBM, Micron, GF-SG, TSMC, ProMOS, Powerchip, Rexchip, SMIC, and STMicro to infringe the ‘717 Patent. AMAT knew and knows that its customers’ use of AMAT Reflexion LK and Reflexion GT CMP systems to fabricate integrated circuits constitutes infringement of the ‘717 Patent under 35 U.S.C. § 271(a) for fabrication occurring in the United States and under 35 U.S.C. § 271(g) for fabrication occurring outside the United States. To the extent AMAT lacked any such knowledge, it was due to willful blindness to notice provided by the filing, existence of, and circumstances surrounding *Semcon Tech, LLC v.*

*International Business Machines Corporation*, C.A. No. 1:12-cv-00530-RGA (D. Del.), *Semcon Tech, LLC v. Micron Technology, Inc.*, C.A. No. 1:12-cv-00532-RGA (D. Del.), *Semcon Tech LLC v. GlobalFoundries Singapore PTE Ltd. et al*, C.A. No. 1:2013-cv-00699-RGA (D. Del.), *Semcon Tech LLC v. Taiwan Semiconductor Manufacturing Company Ltd et al*, C.A. No. 1:2013-cv-00705-RGA (D. Del.), *Semcon Tech LLC v. ProMOS Technologies Inc.*, C.A. No. 1:2013-cv-00702-RGA (D. Del.), *Semcon Tech LLC v. Powerchip Technology Corporation et al*, C.A. No. 1:2013-cv-00701-RGA (D. Del.), *Semcon Tech LLC v. Semiconductor Manufacturing International Corporation et al*, C.A. No. 1:2013-cv-00704-RGA (D. Del.), and *Semcon Tech LLC v. STMicroelectronics N.V. et al*, C.A. No. 1:2013-cv-00706-RGA (D. Del.). Accordingly, AMAT has induced infringement of the ‘717 Patent, including but not limited to claim 1.

38. As a result of AMAT’s infringement of the ‘717 Patent, Plaintiff Semcon is entitled to monetary damages in an amount adequate to compensate for AMAT’s infringement, but in no event less than a reasonable royalty for the use made of the invention by AMAT, together with interest and costs as fixed by the Court.

39. Despite knowledge of the ‘717 Patent, AMAT continued and still continues to infringe the ‘717 Patent. AMAT’s infringement was and is willful, entitling Plaintiff to enhanced damages under 35 U.S.C. § 284 and to reasonable attorneys’ fees under 35 U.S.C. § 285.

**COUNT II**  
**INFRINGEMENT OF U.S. PATENT NO. 6,551,933**

40. Plaintiff Semcon realleges and incorporates by reference paragraphs 1-39 above, as if fully set forth herein.

41. Plaintiff Semcon is the owner by assignment of United States Patent No. 6,551,933 (“the ‘933 Patent”) titled “Abrasive Finishing with Lubricant and Tracking.” The ‘933 Patent was duly and legally issued by the United States Patent and Trademark Office on April 22, 2003. A true and correct copy of the ‘933 Patent is included as Exhibit B.

42. Defendant AMAT makes, uses, sells, offers for sale, and/or imports into the United States the AMAT Reflexion LK FA chemical-mechanical polishing (“CMP”) systems. These systems are used in the CMP portions of fabrication processes for integrated circuits.

43. On information and belief, AMAT-US or its corporate affiliates has sold and continues to sell and/or offer for sale to International Business Machines Corporation (“IBM”) AMAT Reflexion LK FA CMP systems.

44. On information and belief, IBM uses AMAT Reflexion LK FA CMP systems to fabricate integrated circuits in the United States.

45. On information and belief, AMAT knew on or soon after April 27, 2012 that IBM’s use of the AMAT Reflexion LK FA CMP systems to fabricate integrated circuits constitute infringement of the ‘933 patent. On information and belief, AMAT had such knowledge, at least in part, by notice of the Complaint for Patent Infringement (D.I. 1) filed on April 27, 2012 in *Semcon Tech, LLC v. International Business Machines Corporation*, C.A. No. 1:12-cv-00530-RGA (D. Del.).

46. On information and belief, AMAT-SG or its corporate affiliates has sold and continues to sell and/or offer for sale to GF-SG AMAT Reflexion LK FA CMP systems.

47. On information and belief, GF-SG uses AMAT Reflexion LK FA CMP systems to fabricate integrated circuits in Singapore, which GF-SG then sells to customers in the United States or customers whom GF-SG knows or should know import such integrated circuits into the United States. Such customers include, without limitation, Freescale Semiconductor, Inc., Qualcomm Incorporated, Qualcomm Atheros, Inc., International Business Machines Corporation, Broadcom Corporation, NVIDIA Corporation, and STMicroelectronics N.V.

48. On information and belief, AMAT knew on or soon after April 18, 2013 that GF-SG's use of the AMAT Reflexion LK FA CMP systems to fabricate integrated circuits constitutes infringement of the '933 patent. On information and belief, AMAT had such knowledge, at least in part, by notice of the Complaint for Patent Infringement (D.I. 1) filed on April 18, 2013 in *Semcon Tech LLC v. GlobalFoundries Singapore PTE Ltd. et al*, C.A. No. 1:2013-cv-00699-RGA (D. Del.).

49. AMAT specifically intended and intends customers of its AMAT Reflexion LK FA CMP systems, including but not limited to IBM and GF-SG, to infringe the '933 Patent. AMAT knew and know that their customers' use of AMAT Reflexion LK FA CMP systems to fabricate integrated circuits constitutes infringement of the '933 Patent under 35 U.S.C. § 271(a) for fabrication occurring in the United States and under 35 U.S.C. § 271(g) for fabrication occurring outside the United States. To the extent AMAT lacked any such knowledge, it was due to willful blindness to notice provided by the filing, existence of, and circumstances surrounding *Semcon Tech, LLC v. International Business Machines Corporation*, C.A. No. 1:12-cv-00530-RGA (D. Del.) and *Semcon Tech LLC v. GlobalFoundries Singapore PTE Ltd. et al*, C.A. No. 1:2013-

cv-00699-RGA (D. Del.). Accordingly, AMAT has induced infringement of the '933 Patent, including but not limited to claim 1.

50. As a result of AMAT's infringement of the '933 Patent, Plaintiff Semcon is entitled to monetary damages in an amount adequate to compensate for AMAT's infringement, but in no event less than a reasonable royalty for the use made of the invention by AMAT, together with interest and costs as fixed by the Court.

51. Despite knowledge of the '933 Patent, AMAT continued and still continues to infringe the '933 Patent. AMAT's infringement was and is willful, entitling Plaintiff to enhanced damages under 35 U.S.C. § 284 and to reasonable attorneys' fees under 35 U.S.C. § 285.

**COUNT III**  
**INFRINGEMENT OF U.S. PATENT NO. 6,541,381**

52. Plaintiff Semcon realleges and incorporates by reference paragraphs 1-51 above, as if fully set forth herein.

53. Plaintiff Semcon is the owner by assignment of United States Patent No. 6,541,381 ("the '381 patent") titled "Finishing method for semiconductor wafers using a lubricating boundary layer." The '381 patent was duly and legally issued by the United States Patent and Trademark Office on April 1, 2003. A true and correct copy of the '381 patent is included as Exhibit C.

54. Defendant AMAT makes, uses, sells, offers for sale, and/or imports into the United States the AMAT Reflexion LK FA chemical-mechanical polishing ("CMP") systems. These systems are used in the CMP portions of fabrication processes for integrated circuits.

55. On information and belief, AMAT-US or its corporate affiliates has sold

and continues to sell and/or offer for sale to IBM AMAT Reflexion LK FA CMP systems.

56. On information and belief, IBM uses AMAT Reflexion LK FA CMP systems to fabricate integrated circuits in the United States.

57. On information and belief, AMAT knew on or soon after February 26, 2013 that IBM's use of the AMAT Reflexion LK FA CMP systems to fabricate integrated circuits constitute infringement of the '381 patent. On information and belief, AMAT had such knowledge, at least in part, by notice of the Complaint for Patent Infringement (D.I. 1) filed on February 26, 2013 in *Semcon Tech, LLC v. International Business Machines Corporation*, C.A. No. 1:13-cv-00316-RGA (D. Del.).

58. On information and belief, AMAT-SG or its corporate affiliates has sold and continues to sell and/or offer for sale to GF-SG AMAT Reflexion LK FA CMP systems.

59. On information and belief, GF-SG uses AMAT Reflexion LK FA CMP systems to fabricate integrated circuits in Singapore, which GF-SG then sells to customers in the United States or customers whom GF-SG knows or should know import such integrated circuits into the United States. Such customers include, without limitation, Freescale Semiconductor, Inc., Qualcomm Incorporated, Qualcomm Atheros, Inc., International Business Machines Corporation, Broadcom Corporation, NVIDIA Corporation, and STMicroelectronics N.V.

60. On information and belief, AMAT knew on or soon after April 18, 2013 that GF-SG's use of the AMAT Reflexion LK FA CMP systems to fabricate integrated circuits constitutes infringement of the '381 patent. On information and belief, AMAT had such knowledge, at least in part, by notice of the Complaint for Patent Infringement

(D.I. 1) filed on April 18, 2013 in *Semcon Tech LLC v. GlobalFoundries Singapore PTE Ltd. et al*, C.A. No. 1:2013-cv-00699-RGA (D. Del.).

61. AMAT specifically intended and intends customers of its AMAT Reflexion LK FA CMP systems, including but not limited to IBM and GF-SG, to infringe the ‘381 Patent. AMAT knew and know that their customers’ use of AMAT Reflexion LK FA CMP systems to fabricate integrated circuits constitutes infringement of the ‘381 Patent under 35 U.S.C. § 271(a) for fabrication occurring in the United States and under 35 U.S.C. § 271(g) for fabrication occurring outside the United States. To the extent AMAT lacked any such knowledge, it was due to willful blindness to notice provided by the filing, existence of, and circumstances surrounding *Semcon Tech, LLC v. International Business Machines Corporation*, C.A. No. 1:13-cv-00316–RGA (D. Del.) and *Semcon Tech LLC v. GlobalFoundries Singapore PTE Ltd. et al*, C.A. No. 1:2013-cv-00699-RGA (D. Del.). Accordingly, AMAT has induced infringement of the ‘381 Patent, including but not limited to claim 21.

62. As a result of AMAT’s infringement of the ‘381 Patent, Plaintiff Semcon is entitled to monetary damages in an amount adequate to compensate for AMAT’s infringement, but in no event less than a reasonable royalty for the use made of the invention by AMAT, together with interest and costs as fixed by the Court.

63. Despite knowledge of the ‘381 Patent, AMAT continued and still continues to infringe the ‘381 Patent. AMAT’s infringement was and is willful, entitling Plaintiff to enhanced damages under 35 U.S.C. § 284 and to reasonable attorneys’ fees under 35 U.S.C. § 285.

### **PRAYER FOR RELIEF**

WHEREFORE, Plaintiff Semcon respectfully requests that this Court enter:

1. A judgment in favor of Plaintiff that AMAT has induced infringement, either literally and/or under the doctrine of equivalents, of the '717 patent, the '933 patent, and the '381 patent;
2. A judgment in favor of Plaintiff that AMAT has willfully infringed the '717 patent, the '933 patent, and the '381 patent and an award of enhanced damages pursuant to 35 U.S.C. § 284;
3. A judgment and order requiring AMAT to pay Plaintiff its damages, costs, expenses, and pre-judgment and post-judgment interest for Defendant's infringement of the '717 patent, the '933 patent, and the '381 patent as provided under 35 U.S.C. § 284;
4. A judgment and order requiring AMAT to pay Plaintiff its reasonable attorneys' fees under 35 U.S.C. § 285; and
5. Any and all other relief as the Court may deem appropriate and just under the circumstances.

### **DEMAND FOR JURY TRIAL**

Plaintiff Semcon, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.



Dated: May 24, 2013

BAYARD, P.A.

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