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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

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

11 JAMES B. GOODMAN,
12 Plaintiff,
13 vs.
14 NAN YA TECHNOLOGY CORPORATION,
15 U.S.A.
16 Defendant. *

Civil Action No. **CV 13 3397**

**COMPLAINT FOR PATENT
INFRINGEMENT AND DEMAND FOR
JURY TRIAL**

17 *****
18 NOW COMES Plaintiff, JAMES B. GOODMAN ("Goodman" herein), through his
19 attorneys, and files this Complaint for Patent Infringement and Demand for Jury Trial against
20 Nan Ya Technologies Corporation U.S.A. (also known as "Nanya Technology Corporation,
21 U.S.A.")("Nanya" herein).

22 **PARTIES**

- 23 1. Plaintiff Goodman is an individual residing in the State of Texas.
24 2. On information and belief from the website for Nanya Technology Corporation,
25 Nan Ya Technology Corporation, U.S.A., 5104 Old Ironsides Drive, Suite 113,
26 Santa Clara, CA 95054 is the subsidiary of Nanya Technology Corporation, Hwa
27 Ya Technology Park 669, Fu Hsing 3rd Road, Kueishan, Taoyuan, Taiwan for
28 offering for sale, and selling products in the U.S.A.

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JURISDICTION AND VENUE

3. 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).

4. On information and belief, Nanya is subject to this Court's specific and general personal jurisdiction, pursuant to due process and/or the California Long Arm Statute, due to at least its business presence in this forum, including the infringement alleged herein.

5. On information and belief, Nanya, directly and/or through intermediaries, advertise at least through web sites, offers to sell, sold and/or distributed infringing products, and/or have induced the sale and use of infringing products. In addition, and on information and belief, Nanya is 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 because on information and belief, Nanya has committed at least a portion of the infringement at issue in this case, and has a corporate presence in this forum.

INTRADISTRICT ASSIGNMENT

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

1 **PRAYER FOR RELIEF**

2 WHEREFORE, Plaintiff respectfully requests this Court to:

- 3 a. enter judgment for Plaintiff on this Complaint;
- 4 b. order that an accounting be had for the damages caused to the Plaintiff by the
- 5 infringing activities of the Defendant;
- 6 c. find that Nanya is a willful infringer and enhance the damages;
- 7 c. award Plaintiff interest and costs; and
- 8 d. award Plaintiff such other and further relief as this Court may deem just and
- 9 equitable.

10 THE PLAINTIFF
11 JAMES B. GOODMAN

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