

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

VANTAGE POINT TECHNOLOGY, INC.,	§	
	§	
Plaintiff,	§	
	§	
v.	§	Civil Action No. 2:13-cv-00992-JRG
	§	
PANASONIC CORPORATION OF NORTH AMERICA and MARVELL SEMICONDUCTOR, INC.,	§	JURY TRIAL DEMANDED
	§	
Defendants.	§	

FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Vantage Point Technology, Inc. (“Plaintiff”) alleges the following for its complaint against Defendants Panasonic Corporation of North America and Marvell Semiconductor, Inc.

THE PARTIES

1. Plaintiff is a corporation formed under the laws of the State of Texas having its principal place of business at 719 W. Front Street, Suite 244, Tyler, Texas 75702.

2. Defendant Panasonic Corporation of North America is a corporation formed under the laws of the state of Delaware with a principal place of business at 2 Riverfront Plaza, Newark NJ 07105. Defendant may be served with process via its registered agent CT Corporation System, 350 North St. Paul Street, Suite 2900, Dallas, Texas 75201-4234.

3. Defendant Marvell Semiconductor, Inc. is a corporation formed under the laws of the state of California with a principal place of business at 5488 Marvell Lane, Santa Clara, California 95054. Defendant Marvell Semiconductor, Inc. may be served with process via its

registered agent CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201-3136.

JURISDICTION AND VENUE

4. This is a patent infringement action. The Court has subject matter jurisdiction pursuant to 28 U.S.C. §§1331 and 1338.

5. The Court has personal jurisdiction, because Defendants have availed themselves of the rights and benefits of this District by conducting business in this jurisdiction, including by promoting products for sale and selling its products via the internet, which is accessible to and accessed by residents of this District, and knowingly having their products sold in stores throughout this District.

6. Venue is proper in this District pursuant to 28 U.S.C. §§1391(b)-(d) and §1400(b), because substantial acts of infringement have occurred in this District.

COUNT ONE
INFRINGEMENT OF U.S. PATENT NO. 5,463,750

7. On October 31, 1995, U.S. Patent No. 5,463,750 (the “’750 Patent”) entitled “Method and Apparatus for Translating Virtual Addresses in a Data Processing System Having Multiple Instruction Pipelines and Separate TLB’s for each Pipeline” was duly and legally issued by the United States Patent and Trademark Office. The application for the ’750 Patent was filed on November 2, 1993 and originally assigned to Intergraph Corporation. A true and correct copy of the ’750 Patent is attached as Exhibit A hereto.

8. Plaintiff is the sole and exclusive owner of all right, title, and interest in the ’750 Patent and holds the exclusive right to take all actions, including the filing of this patent infringement lawsuit, necessary to enforce its rights to the ’750 Patent. Plaintiff also has the

right to recover all damages for past, present, and future infringement of the '750 Patent and to seek injunctive relief as appropriate under the law.

9. Defendants have directly infringed, either literally or by equivalents, one or more claims of the '750 Patent by making, having made, using, selling, offering for sale and/or importing products that satisfy each and every limitation of one or more claims of the '750 Patent, including at least Claim 1. For Defendant Panasonic, such products include at least the ToughPad JT-B1, which uses a TI OMAP4460 1.5GHz Dual-Core Processor and the ToughPad FZ-a1, which uses a Marvell Armada PXA2128 1.2GHz Dual-Core Processor. For Defendant Marvell, such products include at least any and all chipsets with a dual or multi-core processor design that are compatible with ARMv7 architecture, including but not limited to the multi-core Cortex A9. Upon information and belief, the accused chipset products include at least the PXA2128, Armada 1500, PXA 988, and PXA986.

10. Defendants' manufacture, sales, offers to sell, and/or importation of the accused products was unauthorized, without the permission of Plaintiff, and constitutes infringement under 35 U.S.C. §271 for which they are directly liable.

11. As a result of Defendants' direct infringement, Plaintiff has been damaged monetarily and is entitled to adequate compensation of no less than a reasonable royalty pursuant to 35 U.S.C. § 284.

JURY DEMAND

Plaintiff requests a jury on all issues so triable.

PRAYER

WHEREFORE, Plaintiff respectfully requests that the Court:

- A. Enter judgment that Defendants have directly infringed, either literally or by equivalents, the '750 Patent;

- B. Award Plaintiff damages for Defendants' infringement in an amount to be determined at trial, including enhanced damages, costs, and pre and post-judgment interest; and
- C. Award any other relief deemed just and proper.

February 3, 2014

Respectfully submitted,

/s/ Paul V. Storm
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CERTIFICATE OF SERVICE

This is to certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document *via* the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 3rd day of February, 2014.

/s/Paul V. Storm