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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
SOUTHERN DIVISION

PROGRESSIVE SEMICONDUCTOR SOLUTIONS LLC,

Plaintiff,

vs.

BROADCOM CORPORATION,

Defendant.

CASE NO.

**COMPLAINT FOR INFRINGEMENT
OF U.S. PATENT NO. 6,862,208**

Jury Trial Demanded

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I. THE PARTIES

1. PROGRESSIVE SEMICONDUCTOR SOLUTIONS LLC (“Plaintiff”) is a Limited Liability Company organized and existing under the laws of the State of Texas, with a principal place of business in Plano, Texas.

2. Upon information and belief, Defendant BROADCOM CORPORATION (“Broadcom”) is a California Corporation having a principal place of business at 5300 California Avenue, Irvine, CA 92617, and may be served with process through its California Registered Agent, National Registered Agents, Inc., 818 W. Seventh Street, Suite 930, Los Angeles, CA 90017.

II. JURISDICTION AND VENUE

3. This is an action for infringement of a United States patent. Federal question jurisdiction is conferred to this Court over such action under 28 U.S.C. §§ 1331 and 1338(a).

4. Upon information and belief, Defendant has had minimum contacts with the Southern Division of the Central District of California such that this venue is fair and reasonable. Defendant has committed such purposeful acts and/or transactions in this district that it reasonably should know and expect that it could be hailed into this Court as a consequence of such activity. Upon information and belief, Defendant has transacted and, at the time of the filing of this Complaint, is transacting business within the Southern Division of the Central District of California.

5. For these reasons, personal jurisdiction exists and venue is proper in this Court under 28 U.S.C. §§ 1391(b) and (c) and 28 U.S.C. § 1400(b).

III. PATENT INFRINGEMENT

6. On March 1, 2005, United States Patent No. 6,862,208 (“the ‘208 Patent”) was duly and legally issued for “MEMORY DEVICE WITH SENSE AMPLIFIER AND SELF-TIMED LATCH.” A true and correct copy of the ‘208 Patent is attached hereto as Exhibit “A” and made a part hereof.

1 7. The ‘208 Patent is referred to as the “Patent-in-Suit.” Generally
2 speaking, the ‘208 Patent relates to memory in semiconductor devices, and more
3 specifically relates to a novel circuit design and methods for accessing that memory
4 in a manner that increases speed and reliability, while reducing power consumption
5 of the chip. The ‘208 Patent discloses a memory device including a plurality of
6 memory cells, bit lines, word lines, a sense amplifier, and a self-timed latch. The
7 novel design of the ‘208 Patent helps achieve small size, low power, and fast
8 operation in semiconductor memory applications.

9 8. By way of assignment, Plaintiff is the owner of all right, title and
10 interest in and to the Patent-in-Suit, with all rights to enforce it against infringers and
11 to collect damages for all relevant times, including the right to prosecute this action.

12 9. Upon information and belief, Defendant BROADCOM, without
13 authority, consent, right, or license, and in direct infringement of the Patent-in-Suit,
14 manufactures, uses, sells, imports, and/or offers for sale systems and/or products
15 directly infringing one or more claims of the Patent-in-Suit. By way of example only,
16 its BCM4334 chip (and all future generations of the BCM4334 chip that utilizes a
17 similar and/or identical infringing design) directly infringes at least claims 1, 2, 3, 7,
18 8 and 9 of the ‘208 Patent (“Accused Products”). The Accused Products infringe
19 these claims of the ‘208 Patent because, at a minimum, they comprise a memory
20 device that includes a plurality of memory cells, bit lines, word lines, a sense
21 amplifier, and a self-timed latch, all of which are arranged in an infringing manner
22 meant to seize on the advantages disclosed by the ‘208 Patent.

23 10. Further, upon information and belief, Defendant induces and/or
24 contributes to the infringement of one or more of the claims of the Patent-in-Suit by
25 others and is therefore liable for its indirect infringement. Specifically, by way of
26 example, Broadcom provides Accused Products to be incorporated and used within
27 the United States in the Apple iPhone 5. Defendant has had knowledge of the Patent-

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1 in-Suit and knowledge of its infringement since at least as early as the filing of this
2 Complaint.

3 11. Upon information and belief, Defendant possessed a specific intent to
4 induce infringement by at a minimum, providing product briefs, specification sheets
5 and/or instructions on how to incorporate the product into a mobile phone or
6 smartphone in a way that would infringe the Patent-in-Suit. For example, upon
7 information and belief, Defendant provided to Apple information about the
8 functionality and/or application of its accused products, including the providing of
9 datasheets, product briefs, and/or specifications detailing their use.

10 12. Alternatively, Defendant has purposefully and voluntarily placed, or
11 caused or encouraged to be placed, infringing products into the stream of commerce
12 with the expectation that its products will be purchased by end users in the United
13 States.

14 13. Upon information and belief, Defendant's Accused Products have no
15 substantial non-infringing uses, and Defendant knows that the Accused Products are
16 especially made or especially adapted for use in a product that infringes the Patent-
17 in-Suit.

18 14. Plaintiff has been damaged as a result of Defendant's infringing
19 conduct. Defendant is, thus, liable to Plaintiff in an amount that adequately
20 compensates for its infringement, which, by law, cannot be less than a reasonable
21 royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284.

22 **IV. PRIOR RELATED CASE**

23 15. The Patent-in-Suit was part of a previous litigation, now concluded,
24 pending in the Central District of California before The Honorable Otis D. Wright,
25 II, styled *Progressive Semiconductor Solutions LLC v. Qualcomm Technologies Inc.*,
26 8:13-cv-01535-ODW-JEM. In that action, the parties fully briefed claim terms from
27 the Patent-in-Suit, conducted a technology tutorial before the Court, participated in a
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1 *Markman* hearing, and ultimately certain claim terms of the Patent-in-Suit were
2 construed by the Judge Wright. Broadcom's alleged infringement of the Asserted
3 Claims of the '208 Patent applies this claim construction.

4 **VI. PRAYER FOR RELIEF**

5 WHEREFORE, Plaintiff respectfully requests that the Court find in its favor
6 and against Defendant, and that the Court grant Plaintiff the following relief:

- 7 a. Judgment that one or more claims of the Patent-in-Suit have been
8 infringed, directly and indirectly, either literally and/or under the
9 doctrine of equivalents, by Defendant;
- 10 b. Judgment that Defendant account for and pay to Plaintiff all damages to
11 and costs incurred by Plaintiff because of Defendant's infringing
12 activities and other conduct complained of herein;
- 13 c. That Defendant's infringement be found to be willful from the time
14 Defendant became aware of the infringing nature of its services, which
15 is the time of filing of Plaintiff's Complaint at the latest, and that the
16 Court award treble damages for the period of such willful infringement
17 pursuant to 35 U.S.C. § 284.
- 18 d. That Plaintiff be granted pre-judgment and post-judgment interest on
19 the damages caused by Defendant's infringing activities and other
20 conduct complained of herein;
- 21 e. That the Court declare this an exceptional case and award Plaintiff its
22 reasonable attorney's fees and costs in accordance with 35 U.S.C. § 285;
- 23 f. That Plaintiff be granted such other and further relief as the Court may
24 deem just and proper under the circumstances.
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1 DATED: December 15, 2015.

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DEMAND FOR JURY TRIAL

Plaintiff hereby demands a trial by jury on all issues properly triable by jury.

Dated: December 15, 2015

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Progressive Semiconductor Solutions
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