

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

OPTICURRENT, LLC,

Plaintiff,

v.

POWER INTEGRATIONS, INC. and

MOUSER ELECTRONICS,

Defendants.

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Case No. _____

JURY TRIAL DEMANDED

PLAINTIFF’S ORIGINAL COMPLAINT

Plaintiff OPTICURRENT, LLC (“Plaintiff”) files this Original Complaint against Defendants POWER INTEGRATIONS, INC. and MOUSER ELECTRONICS (collectively “Defendants”) alleging as follows:

I. THE PARTIES

1. OPTICURRENT, LLC (“Opticurrent”) is a corporation organized and existing under the laws of the State of Texas, with a principal place of business at 505 East Travis Street Suite 207, Marshall, TX 75670.

2. Defendant POWER INTEGRATIONS, INC. (“Power Integrations”) is a corporation organized and existing under the laws of the State of Delaware, with a principal place of business in San Jose, CA. Power Integrations may be served with process by serving Sandeep Nayyar at 5245 Hellyer Avenue, San Jose, CA 95138.

3. Defendant MOUSER ELECTRONICS (“Mouser”) is a corporation organized and existing under the laws of the State of Delaware, with a principal place of business in Mansfield, TX. Mouser may be served with process by serving Corporation Service Company d/b/a CSC-Lawyers Incorporating Service Company, 211 E. 7th Street, Suite 620, Austin, TX 78701-3218.

II. JURISDICTION AND VENUE

4. 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).

5. Power Integrations has had minimum contacts with the Eastern District of Texas, Marshall Division such that this venue is fair and reasonable. Power Integrations 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. Power Integrations has transacted and, at the time of the filing of this Complaint, is transacting business within the Eastern District of Texas.

6. Further, Power Integrations manufactures and/or assembles products that are and have been used, offered for sale, sold, and/or purchased in the Eastern District of Texas, Marshall Division. Power Integrations directly and/or through its distribution network, places infringing products or systems within the stream of commerce, which stream is directed at this district, with the knowledge and/or understanding that those products will be sold and/or used in the Eastern District of Texas, Marshall Division.

7. Mouser has had minimum contacts with the Eastern District of Texas, Marshall Division such that this venue is fair and reasonable. Mouser 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. Mouser has transacted and, at the time of the filing of this Complaint, is transacting business within the Eastern District of Texas.

8. Further, Mouser sells and/or offers to sell infringing products in the Eastern District of Texas, Marshall Division. Mouser directly and/or through its distribution network, places infringing products or systems within the stream of commerce, which stream is directed at this

district, with the knowledge and/or understanding that those products will be sold and/or used in the Eastern District of Texas, Marshall Division.

9. Opticurrent began in Marshall, Texas in 2012 and has been continually in existence in Marshall since that time.

10. Prior to the filing of this suit, infringing products were purchased and analyzed by Opticurrent in the Eastern District of Texas, Marshall Division.

11. 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

12. On October 25, 2005, United States Patent No. 6,958,623 (“the ‘623 Patent”) was duly and legally issued for a “THREE TERMINAL NONINVERTING TRANSISTOR SWITCH.” A true and correct copy of the ‘623 Patent is attached hereto as Exhibit “A” and made a part hereof.

13. The ‘623 Patent is referred to as the “Patent-in-Suit.” Generally speaking, the ‘623 Patent relates to transistor switches used in semiconductor devices, and more specifically relates to a novel circuit design that, among other things, minimizes current leakage between the second and third terminal of such a transistor switch.

14. By way of assignment, Plaintiff is the owner of all right, title and interest in and to the ‘623 Patent, with all rights to enforce it against infringers and to collect damages for all relevant times, including the right to prosecute this action.

15. Power Integrations, without authority, consent, right, or license, and in direct infringement of the ‘623 Patent, manufactures, has manufactured, makes, has made, uses, imports, has imported, markets, sells, or offers for sale systems or products that directly infringe one or

more claims of the '623 Patent. By way of example only, Power Integrations' LNK585, LNK605DG, TNY179PN, TNY277PN, and TNY247YN products, and any other similarly structured or functioning products that include a three terminal non-inverting switch in accordance with the '623 Patent ("Accused Products"), directly infringe at least Claim 1 of the '623 Patent. The Accused Products infringe the '623 Patent because, at a minimum, they comprise a three terminal non-inverting switch with a voltage stabilizer and a CMOS inverter, all of which are arranged in an infringing manner in accordance with Claim 1 of the '623 Patent. By providing the circuit in this configuration, the chip experiences, among other things, a lower amount of current leakage between the second and third terminal as described as a key advantage of the novel '623 Patent circuit design.

16. Further, Power Integrations induces infringement of one or more of the claims of the Patent-in-Suit by others and is therefore liable for its indirect infringement. Specifically, by way of example only, Power Integrations provides Accused Products to be incorporated into consumer electronic products and used within the United States. Power Integrations also provides Accused Products to distributors such as Mouser for sale and offer for sale within the United States. Power Integrations has had knowledge of, or was willfully blind to, the Patent-in-Suit and knowledge of, or was willfully blind, to the fact that its actions would induce infringement since at least as early as the filing of this Complaint.

17. Power Integrations possessed a specific intent to induce infringement by, at a minimum, providing product briefs, specification sheets and/or instructions on how to incorporate the Accused Products into consumer electronic products in a way that would infringe the Patent-in-Suit.

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

19. Mouser, without authority, consent, right, or license, and in direct infringement of the '623 Patent, uses, imports, has imported, markets, sells, or offers for sale the Accused Products. Mouser is a distributor of Power Integrations' Accused Products. *See, e.g.,* <http://www.mouser.com/supplierpage/>; *see also* <https://ac-dc.power.com/sales/distributors/americas/>. Mouser imports, sells, and/or offers for sale, the Accused Products in the United States that directly infringe at least Claim 1 the '623 Patent. Mouser has had knowledge of the Patent-in-Suit and knowledge of its infringement since at least as early as the filing of this Complaint.

20. Plaintiff expressly reserves the right to assert additional claims of the '623 Patent.

21. Plaintiff has been damaged as a result of Defendants' infringing conduct. Defendants are, thus, liable to Plaintiff in an amount that adequately compensates for their infringement, which, by law, cannot be less than a reasonable royalty, together with interest and costs as fixed by this Court under 35 U.S.C. § 284. Based on Defendant's objective recklessness, Plaintiff is further entitled to enhanced damages under 35 U.S.C. § 284.

IV. JURY DEMAND

22. Plaintiff hereby requests a trial by jury pursuant to Rule 38 of the Federal Rules of Civil Procedure.

V. PRAYER FOR RELIEF

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

- a. Judgment that one or more claims of the '623 Patent have been directly infringed, either literally or under the doctrine of equivalents, by Defendants, or judgment that one or more of the claims of the '623 patent have been directly infringed by others and indirectly infringed by Defendants, to the extent Defendants induced such direct infringement by others;
- b. Judgment that Defendants account for and pay to Plaintiff all damages to and costs incurred by Plaintiff because of Defendants' infringing activities and other conduct complained of herein;
- c. That Defendants' infringement be found to be willful from the time Defendants became aware of their infringement, which is the time of filing of Plaintiff's Complaint at the latest, and that the Court award treble damages for the period of such willful infringement pursuant to 35 U.S.C. § 284.
- d. That Plaintiff be granted pre-judgment and post-judgment interest on the damages caused by Defendants' infringing activities and other conduct complained of herein;
- e. That the Court declare this an exceptional case and award Plaintiff its reasonable attorney's fees and costs in accordance with 35 U.S.C. § 285; and
- f. That Plaintiff be granted such other and further relief as the Court may deem just and proper under the circumstances.

Dated: April 1, 2016.

Respectfully submitted,

/s/ Jonathan T. Suder
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