

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

NORTH STAR INNOVATIONS	§
INC.,	§
	§
Plaintiff	§
	§
v.	§
	§
SONY INTERACTIVE	§
ENTERTAINMENT AMERICA	§
LLC, SONY MOBILE	§
COMMUNICATIONS (USA) INC.,	§
and SONY ELECTRONICS INC.	§
	§
Defendants	§

C.A. No. 16-cv-359-LPS-CJB

**JURY TRIAL DEMANDED**

**FIRST AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff North Star Innovations Inc. ("Plaintiff" or "North Star"), by and through its attorneys, files this First Amended Complaint for Patent Infringement against Defendants Sony Interactive Entertainment America LLC, Sony Mobile Communications (USA) Inc., and Sony Electronics Inc., alleging as follows:

**PARTIES**

1. Plaintiff North Star is a corporation organized and existing under the laws of the State of Delaware, with a place of business at 600 Anton Blvd., Costa Mesa, California 92626. Plaintiff is the owner of seminal patents in various fields, including integrated circuits, semiconductor memory architecture, and semiconductor memory devices. Plaintiff's portfolio includes patents that address, among other things, volatile memory, such as DRAM and SRAM, and remote management of media content. Plaintiff's portfolio includes patents that teach valuable innovations and improvements related to speed, power consumption, density,

reliability, cost, efficiency, and organization. Plaintiff is actively engaged in licensing efforts with respect to such technologies.

2. Defendant Sony Interactive Entertainment America LLC (“Sony Interactive”) is a limited liability company organized and existing under the laws of the State of Delaware, with a place of business at 2207 Bridgepointe Pkwy., San Mateo, CA 94404. Defendant may be served with process in this judicial district by serving its registered agent for service of process: Corporation Service Company, 2711 Centerville Rd., Suite 400, Wilmington, DE 19808.

3. Sony Interactive is responsible for PlayStation business sales and marketing in the Americas. So, for example, Sony Interactive is responsible for sales of the PS3 Slim Gaming Console and for the corresponding sale of any CXD5132R-1 integrated circuits included therein.

4. Defendant Sony Mobile Communications (USA) Inc. (“Sony Mobile”) is a corporation organized and existing under the laws of the State of Delaware, with a place of business at 2207 Bridgepointe Pkwy., San Mateo, CA 94404. Defendant may be served with process in this judicial district by serving its registered agent for service of process: Capitol Services, Inc., 1675 S. State, St., Suite B, Dover, DE 19901.

5. According to its own website, “Sony Mobile is a leading global innovator of audio, video, game, communications, key device and information technology products for both the consumer and professional markets.” Sony Mobile aggressively markets its Xperia portfolio, which is Sony Mobile’s flagship line of smartphones. The Xperia portfolio includes, for example, the Sony Xperia TL smartphone, Model number LT30AT, and the Sony Xperia

Z5, which, on information and belief, come pre-installed with the Sony Music application and the Google Play Music application.

6. Defendant Sony Electronics Inc. (“Sony Electronics”) is a corporation organized and existing under the laws of the State of Delaware, with a place of business at 16535 Via Esprillo, San Diego, CA 92127. Defendant may be served with process in this judicial district by serving its registered agent for service of process: Corporation Service Company, 2711 Centerville Rd., Suite 400, Wilmington, DE 19808.

7. Sony Electronics is the largest unit of Sony Corporation of America, the holding company for Sony Corporation’s US-based electronics and entertainment businesses. Sony Electronics sells PCs (e.g., the Sony VAIO) and their peripherals, as well as TVs, VCRs, DVD and MP3 players, digital cameras, camcorders, CD players, and car audio items. According to its own website, “Sony Electronics is a leading provider of audio/video electronics and information technology products for the consumer and professional markets. Operations include research and development, engineering, sales, marketing, distribution and customer service.”

### **JURISDICTION AND VENUE**

8. This action arises under the patent laws of the United States, 35 U.S.C. § 1 *et seq.*, including §§ 271, 281, 282(a), 283, 284, and 285. This Court has subject matter jurisdiction over this patent infringement action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

9. This Court has personal jurisdiction over Defendants. Upon information and belief, Defendants have regularly conducted and continue to conduct business in the State of Delaware. Defendants, directly or indirectly through their agents, have committed infringing activities in Delaware and in the United States by using, marketing, offering for sale, selling,

and/or importing products and systems that infringe the Patents-In-Suit (as defined below) or by placing such infringing products and systems into the stream of commerce with the awareness, knowledge, and intent that they would be used, offered for sale, or sold by others in this judicial district and/or purchased by consumers in this judicial district. Further, this Court has personal jurisdiction over Defendants because Defendants are organized under the laws of the State of Delaware. Defendants have thereby availed themselves of the privileges of conducting business in the State of Delaware and have sought protection and benefit from the laws of the State of Delaware. This Court's exercise of personal jurisdiction over Defendants would therefore comport with due process.

10. Venue is proper pursuant to 28 U.S.C. §§ 1391(b) and 1400(b).

#### **THE PATENTS-IN-SUIT**

11. On August 24, 1999, U.S. Patent No. 5,943,274 ("the '274 Patent") – entitled "Method and Apparatus For Amplifying a Signal to Produce A Latched Digital Signal" – was lawfully and properly issued by the United States Patent and Trademark Office ("USPTO"), after a full and fair examination. The named inventors on the '274 Patent are Alan S. Roth and Scott G. Nogle. A true and correct copy of the '274 Patent is attached hereto as Exhibit A and incorporated by reference.

12. Generally speaking, the '274 Patent teaches, among other things, an improved circuit design for the output stage of a memory device, such as SRAM, and an improved circuit design for a differential amplifier that provides a more reliable timing mechanism and thereby facilitates the use of a clock-free latch.

13. On May 9, 2006, U.S. Patent No. 7,043,479 ("the '479 Patent") – entitled "Remote-Directed Management of Media Content" – was lawfully and properly issued by the

USPTO, after a full and fair examination. The named inventor on the '479 Patent is Mark Ireton. A true and correct copy of the '479 Patent is attached hereto as Exhibit B and incorporated by reference.

14. Generally speaking, the '479 Patent teaches, among other things, a novel method of updating content on a media player, such as an MP3 player, that allows the user to manipulate and manage content on the player, whether or not the device is connected to a content source, and to establish instructions to be executed when the device is connected to a media source.

15. On April 6, 1999, U.S. Patent No. 5,892,777 (“the '777 Patent”) – entitled “Apparatus and Method for Observing the Mode of a Memory Device” – was lawfully and properly issued by the USPTO, after a full and fair examination. The named inventors on the '777 Patent are Michael Nesheiwat, Roger Grass, and Arthur O'Donnell. A true and correct copy of the '777 Patent is attached hereto as Exhibit C and incorporated by reference.

16. Generally speaking, the '777 Patent teaches, among other things, an improved circuit design for SDRAM that includes additional circuitry for the mode register. The novel design facilitates observation and testing of the value or state of the mode register without affecting the operation of the device and in a way that uses minimum silicon area.

17. On October 5, 1999, U.S. Patent No. 5,961,373 (“the '373 Patent”) – entitled “Process for Forming a Semiconductor Device” – was lawfully and properly issued by the USPTO, after a full and fair examination. The named inventors on the '373 Patent are Lei Ping Lai and Sung C. Kim. A true and correct copy of the '373 Patent is attached hereto as Exhibit D and incorporated by reference.

18. Generally speaking, the '373 Patent teaches, among other things, a Chemical Mechanical Polishing ("CMP") process in which conditioning of the pad is optimized to provide a reproducible polishing process that reduces the likelihood of dishing, contributes to improved planarity, and helps reduce wear on the conditioning head.

19. On November 7, 2000, U.S. Patent No. 6,143,648 ("the '648 Patent") – entitled "Method for Forming an Integrated Circuit" – was lawfully and properly issued by the United States Patent and Trademark Office ("USPTO"), after a full and fair examination. The named inventors on the '648 Patent are Robert Arthur Rodriguez and Heather Marie Klesat. A true and correct copy of the '648 Patent is attached hereto as Exhibit E and incorporated by reference.

20. Generally speaking, the '648 Patent teaches, among other things, a novel method for forming void-free plug contacts in which portions of the openings are tapered.

21. The '274 Patent, the '479 Patent, the '777 Patent, the '373 Patent, and the '648 Patent may be referred to individually as a "Patent-in-Suit" or collectively as the "Patents-in-Suit."

22. By way of assignment, Plaintiff is the owner of all right, title, and interest in and to the Patents-in-Suit, including the rights to prosecute this action and to collect and receive damages for all past, present, and future infringements.

**COUNT ONE: INFRINGEMENT OF THE '274 PATENT**

23. Plaintiff incorporates the above allegations as if set forth here in full.

24. The '274 Patent is valid and enforceable. Sony Interactive does not have a license to practice the patented inventions of the '274 Patent.

25. Sony Interactive has infringed and is currently infringing, either literally or under the doctrine of equivalents, the '274 Patent by, among other things, making, using,

offering for sale, selling, and/or importing within this judicial district and elsewhere in the United States – without license or authority – products, devices, or systems falling within the scope of one or more claims of the '274 Patent. For example, Sony Interactive's PlayStation 3 Slim Gaming Console ("PS3"), which includes a Bluray Drive Controller, Sony Model No. CXD5132R-1, directly infringes at least Claims 1, 2, 4, 9, and 11 of the '274 Patent, either literally or under the doctrine of equivalents. More specifically, the PS3 infringes at least those claims because it meets each and every limitation of those claims, either literally or under the doctrine of equivalents. For example, the PS3 includes a Bluray Drive Controller, which, in turn, includes one or more components that may be characterized as: "an apparatus for use as an output stage of a memory device, the apparatus comprising:<sup>1</sup> a timing circuit; a differential amplifier responsive to the timing circuit; an impedance control circuit; a level converter responsive to the differential amplifier and the impedance control circuit; and a clock-free latch responsive to the level converter."

26. On information and belief, additional products of Sony Interactive are believed to infringe one or more claims of the '274 Patent, because, for example, they include components, such as memory devices and/or controllers, that include the same or substantially the same circuitry. Plaintiff expressly reserves the right to assert additional patents and additional claims and to identify additional infringing products, in accordance with the Federal Rules of Civil Procedure, the Court's scheduling order and the Court's local rules.

27. Plaintiff has been damaged by Sony Interactive's infringing conduct and will continue to be damaged unless Sony Interactive is enjoined from further infringement. Accordingly, upon finding for Plaintiff, the Court should award to Plaintiff damages adequate

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<sup>1</sup> Plaintiff does not hereby suggest or concede that the preamble of this or any other asserted claim or any Patent-in-Suit constitutes a substantive limitation. That issue is expressly reserved for the claim construction stage.

to compensate for the infringement, in an amount to be determined at trial, but in no event less than a reasonable royalty for the use made of the invention by the infringer, together with interest and costs as fixed by the Court. Further, upon judgment in favor of Plaintiff, the Court should permanently enjoin Sony Interactive from committing the infringing acts.

**COUNT TWO: INFRINGEMENT OF THE '479 PATENT**

28. Plaintiff incorporates the above allegations as if set forth here in full.

29. The '479 Patent is valid and enforceable. Sony Mobile does not have a license to practice the patented inventions of the '479 Patent.

30. Sony Mobile has infringed and is currently infringing, either literally or under the doctrine of equivalents, the '479 Patent by, among other things, making, using, offering for sale, selling, and/or importing within this judicial district and elsewhere in the United States – without license or authority – products, devices, and/or systems falling within the scope of one or more claims of the '479 Patent. For example, and on information and belief, Sony Mobile, through its use, testing, and/or customer support services for its Sony Xperia line of smartphones, including but not limited to the Xperia TL (e.g., Model No. LT30AT) and the Xperia Z5 Compact (collectively, “Xperia Smartphones”), which, on information and belief, come pre-installed with the Sony Music application and the Google Play Music application, directly infringes at least Claim 1 of the '479 Patent.

31. More specifically, on information and belief, Defendant’s use, testing, and/or customer support services for Xperia Smartphones and for the pre-installed Sony Music application and/or Google Play Music application constitutes direct infringement of at least Claim 1 because such activities meet each and every limitation of Claim 1, either literally or under the doctrine of equivalents. For example, any use or testing of an Xperia Smartphone and



its Sony Music application (e.g., through use of the Podcast feature and its associated menu) and/or its Google Play Music application would, on information and belief, involve the steps of “receiving a user input signal at the media player to identify a selection of content files; accessing a database within the media player, wherein the database provides a list of content files that includes identifiers of files not existing on the media player, the selection of content files being associated with content files in the list; connecting the media player to a source of content; and executing at least one predefined rule to perform at least one operation on at least one content file associated with the selection of content files.” Such infringement extends equally to the use of many other Sony Mobile products or devices, including smartphones and media devices, that, on information and belief, are configured to perform the patented method in the same or substantially the same way, such that use of the Sony Music application and/or Google Play Music application on those products or devices constitutes direct infringement, either literally or under the doctrine of equivalents.

32. In addition, end users of the Xperia Smartphones, which devices, on information and belief, come pre-installed with the Sony Music application and the Google Play Music application, have directly infringed and are directly infringing one or more claims of the '479 Patent through the use of their Xperia Smartphones, including the pre-installed Sony Music application and/or Google Play Music application thereon. For example, the end users' use of the Sony Music application and/or the Google Play Music application would, on information and belief, involve the steps of “receiving a user input signal at the media player to identify a selection of content files; accessing a database within the media player, wherein the database provides a list of content files that includes identifiers of files not existing on the media player, the selection of content files being associated with content files in the list;

connecting the media player to a source of content; and executing at least one predefined rule to perform at least one operation on at least one content file associated with the selection of content files.” Such infringement extends equally to the use of many other Sony Mobile products or devices, including smartphones and media devices, that, on information and belief, are configured to perform the patented method in the same or substantially the same way, such that use of the Sony Music application and/or Google Play Music application on those products or devices constitutes infringement, either literally or under the doctrine of equivalents.

33. On information and belief, Sony Mobile has actively induced such direct infringement by the end users, in violation of at least 35 U.S.C. §271(b). On information and belief, Sony Mobile has taken affirmative steps to induce infringement by, among other things, advertising its products in a way that promotes and/or encourages the infringing use of its products, and/or by distributing or making available instructions, manuals, or online product support resources that promote, encourage, or teach ways to practice the infringing methods of the '479 Patent. By way of example only, Sony Mobile provides online user support for its Music application at <http://support.sonymobile.com/global-en/xperiaz3compact/userguide/Playlists/> and explains how to “[s]earch songs on Music Unlimited and all songs saved to your device” at <http://support.sonymobile.com/global-en/xperiam/userguide/Listening-to-music/>.

34. By way of further example, Sony Mobile hosts or facilitates online “support forums” that specifically address the Google Play Music application. *See, e.g.,* <https://talk.sonymobile.com/t5/Music/Walkman-App-Google-Play-Music/td-p/641671> and <https://talk.sonymobile.com/t5/Music/Google-Play-Music-Integration/m-p/1084402>. By way of further example, Sony provides a specific web page directed toward music download

applications (<http://www.sonymobile.com/global-en/apps-services/sony-media-apps/>), and when the user clicks on the “Download Music” link, he or she is re-directed to a Google web page (<https://play.google.com/store/apps/details?id=com.sonyericsson.music>) that provides or makes available further information or instructions about the Sony Music application and about the Google Play Music application.

35. On information and belief, Sony Mobile continues to take such actions with the specific intent that end users of its Xperia Smartphones use the devices and, in particular, the pre-installed Sony Music application and/or the Google Play Music application, in a manner that directly infringes one or more claims of the '479 Patent. On information and belief, Sony Mobile has done so with knowledge of the '479 Patent at least since the filing of the original Complaint, if not earlier, and with knowledge that the induced acts constitute infringement of the '479 Patent.

36. Plaintiff expressly reserves the right to assert additional patents and additional claims, and to identify additional infringing products in accordance with the Federal Rules of Civil Procedure, the Court’s scheduling order, and the Court’s local rules.

37. Plaintiff has been damaged by Sony Mobile’s infringing conduct and will continue to be damaged unless Sony Mobile is enjoined from further infringement. Accordingly, upon finding for Plaintiff, the Court should award to Plaintiff damages adequate to compensate for the infringement, in an amount to be determined at trial, but in no event less than a reasonable royalty for the use made of the invention by the infringer, together with interest and costs as fixed by the Court. Further, upon judgment in favor of Plaintiff, the Court should permanently enjoin Sony Mobile from committing the infringing acts.

**COUNT THREE: INFRINGEMENT OF THE '777 PATENT**

38. Plaintiff incorporates the above allegations as if set forth here in full.

39. The '777 Patent is valid and enforceable. Sony Electronics does not have a license to practice the patented inventions of the '777 Patent.

40. Sony Electronics has infringed and is currently infringing, either literally or under the doctrine of equivalents, the '777 Patent by, among other things, making, using, offering for sale, selling, and/or importing within this judicial district and elsewhere in the United States – without license or authority – products, devices, and/or systems falling within the scope of one or more claims of the '777 Patent. By way of example only, and on information and belief, Sony Electronics, through its use and testing of Sony a7R II digital cameras, directly infringes at least Claim 1 of the '777 Patent.

41. On information and belief, the Sony a7R II digital camera includes a variety of components, including a CMOS image sensor, a BIONZ X processing engine, and LPDDR2 SDRAM (Micron Technology 5FA98 JWB39 eMCP). The LPDDR2 SDRAM includes circuitry that is configured in a way that directly infringes at least Claim 1 because, for example, Defendant's use or testing of the camera satisfies each and every limitation of Claim 1, either literally or under the doctrine of equivalents. On information and belief, any use or testing of the camera, including its LPDDR2 SDRAM, would meet each of the recited method steps of Claim 1, which states: "A method for observing a control register in a memory device, the control register defining an operation of the memory device, the control register not observable from the memory device, the method comprising the steps of: storing a received value in the control register responsive to a first signal; outputting the received value responsive to a second control signal when no output is expected from the memory device; and

disabling the operation of the memory device responsive to the second control signal subsequent to the step of outputting.”

42. In addition, end users of the Sony a7R II are also believed to be directly infringing one or more claims of the '777 Patent. For example, on information and belief, any use of that digital camera by the end user would necessarily cause the LPDDR2 SRAM memory device to perform each step of the above-described method. On information and belief, such infringement extends equally to the use of many other Sony Electronics products, including digital cameras and other products and devices that include a LPDDR2 SDRAM memory chip, and which, upon information and belief, are configured to perform the patented method in the same or substantially the same way, such that use of such products or devices constitutes infringement, either literally or under the doctrine of equivalents.

43. On information and belief, Sony Electronics has actively induced such direct infringement by end users, in violation of at least 35 U.S.C. §271(b). On information and belief, Sony Electronics has taken affirmative steps to induce infringement by, among other things, advertising its products in a way that promotes and/or encourages the infringing use of its products, and/or by distributing or making available instructions, manuals, or online product support resources that promote, encourage, or teach ways to practice the infringing methods of the '777 Patent. By way of example only, Sony Electronics provides online user manuals and specifications for its digital cameras (including the a7R II), and provides online user support by, for example, hosting or facilitating online “community” help groups, as can be seen, for example, at <http://download.sony-asia.com/consumer/IM/4576983111.pdf>, <https://esupport.sony.com/US/p/model->

[home.pl?mdl=ILCE7RM2&template\\_id=1&region\\_id=1&tab=manuals#/manualsTab](http://home.pl?mdl=ILCE7RM2&template_id=1&region_id=1&tab=manuals#/manualsTab), and <http://community.sony.com/?XID=M:header:esupport>, respectively.

44. Plaintiff expressly reserves the right to assert additional patents and additional claims, and to identify additional infringing products in accordance with the Federal Rules of Civil Procedure, the Court's scheduling order, and the Court's local rules.

45. Plaintiff has been damaged by Sony Electronics' infringing conduct and will continue to be damaged unless Sony Electronics is enjoined from further infringement. Accordingly, upon finding for Plaintiff, the Court should award to Plaintiff damages adequate to compensate for the infringement, in an amount to be determined at trial, but in no event less than a reasonable royalty for the use made of the invention by the infringer, together with interest and costs as fixed by the Court. Further, upon judgment in favor of Plaintiff, the Court should permanently enjoin Sony Electronics from committing the infringing acts.

#### **COUNT FOUR: INFRINGEMENT OF THE '373 PATENT**

46. Plaintiff incorporates the above allegations as if set forth here in full.

47. The '373 Patent is valid and enforceable. Sony Electronics does not have a license to practice the patented inventions of the '373 Patent.

48. On information and belief, and in violation of 35 U.S.C. §271(g), Sony Electronics infringes at least Claims 1, 2, and 3 of the '373 Patent. For example, on information and belief, Sony Electronics imports, offers to sell, sells, and/or uses products made by the novel process patented by Claim 1 of the '373 Patent, namely: "A process for forming a semiconductor device comprising the steps of: placing a substrate onto a polishing pad within an apparatus, wherein a layer overlies the substrate; polishing the layer and conditioning the polishing pad using a first conditioner during a first time period; polishing the layer without

conditioning the polishing pad using the first conditioner for a second time period after the first time period and before depositing an additional layer; and removing the substrate from the apparatus after the steps of polishing.” On information and belief, the ’373 Patent is infringed when the polishing is performed by, and in accordance with the recommended use of, certain CMP polishing machines, CMP polishing pads (such as Nitta Haas pads), and pad conditioners (such as Kinik DiaGrid pad conditioners). On information and belief, Sony manufactures semiconductor chips using Nitta Haas pads and Kinik DiaGrid pad conditioners.

49. On information and belief, Sony Electronics imports, offers for sale, and/or sells CMOS image sensors that are made using the above-described patented process. For example, on information and belief, Sony sells such image sensors to Apple, whose iPhone 6 and 6s smartphones include IMX315 Exmor RS Sony Image Sensors. In addition, Sony Electronics offers for sale and sells digital cameras, such as the Sony Cyber Shot, DSC-WX220 Digital Camera, which includes a BIONZ X Processor, which, on information and belief, is made using the above-referenced patented process. The importation, offer for sale, sale, or use of such products violates 35 U.S.C. §271(g).

50. On information and belief, additional Sony Electronics products are, or include components that are, manufactured, in whole or in part, using the polishing and conditioning methods recited in one or more claims of the ’373 Patent, and Sony Electronics’ conduct with respect to such products violates at least 35 U.S.C. §§271(g). Plaintiff expressly reserves the right to assert additional patents and additional claims and to identify additional infringing products, in accordance with the Federal Rules of Civil Procedure, the Court’s scheduling order and the Court’s local rules.

51. Plaintiff has been damaged by the infringing conduct of Sony Electronics and will continue to be damaged unless Sony Electronics is enjoined from further infringement. Accordingly, upon finding for Plaintiff, the Court should award to Plaintiff damages adequate to compensate for the infringement, in an amount to be determined at trial, but in no event less than a reasonable royalty for the use made of the invention by the infringer, together with interest and costs as fixed by the Court. Further, upon judgment in favor of Plaintiff, the Court should permanently enjoin Sony Electronics from committing the infringing acts.

**COUNT FIVE: INFRINGEMENT OF THE '648 PATENT**

52. Plaintiff incorporates the above allegations as if set forth here in full.

53. The '648 Patent is valid and enforceable. Sony Electronics does not have a license to practice the patented inventions of the '648 Patent.

54. On information and belief, and in violation of 35 U.S.C. §271(g), Sony Electronics infringes at least Claim 9 of the '648 Patent. For example, on information and belief, Sony Electronics imports, offers to sell, sells, and/or uses products made by the novel process patented by Claim 9 of the '648 Patent, namely: "A method for forming an integrated circuit, the method comprising: forming an opening in a surface of a semiconductor substrate, the opening having a bottom portion, sidewall portions, and a top portion, wherein the top portion includes a taper having dimensions that are wider towards the surface of the semiconductor substrate and, narrower towards the sidewall portions; depositing a material over the surface of the semiconductor substrate and within the opening; polishing away portions of the material over the surface of the semiconductor substrate; and polishing away portions of the semiconductor substrate to remove the top portion of the opening including the taper and portions of the material contained within the top portion."



55. On information and belief, the patented method of Claim 9 of the '648 Patent is practiced in connection with the dual damascene integration schemes present in various Sony products and components. For example, on information and belief, Sony Electronics imports, offers for sale, and/or sells CMOS image sensors that are made using the above-described patented process. For example, on information and belief, Sony sells such image sensors to Apple, whose iPhone 6 and 6s smartphones include IMX315 Exmor RS Sony Image Sensors. Similarly, on information and belief, Sony sells such image sensors to Huawei, whose Huawei P8 smartphones include IMX278 Exmor RS Sony Image Sensors. In addition, Sony Electronics offers for sale and sells digital cameras, such as the Sony Cyber Shot, DSC-WX220 Digital Camera, which includes a BIONZ X Processor, and which, on information and belief, is made using the above-referenced patented process. The importation, offer for sale, sale, or use of such products violates 35 U.S.C. §271(g).

56. On information and belief, additional Sony Electronics products are, or include components that are, manufactured, in whole or in part, using the patented methods recited in one or more claims of the '648 Patent, and Sony Electronics' conduct with respect to such products violates at least 35 U.S.C. §§271(g). Plaintiff expressly reserves the right to assert additional patents and additional claims and to identify additional infringing products, in accordance with the Federal Rules of Civil Procedure, the Court's scheduling order and the Court's local rules.

57. Plaintiff has been damaged by the infringing conduct of Sony Electronics and will continue to be damaged unless Sony Electronics is enjoined from further infringement. Accordingly, upon finding for Plaintiff, the Court should award to Plaintiff damages adequate to compensate for the infringement, in an amount to be determined at trial, but in no event less

than a reasonable royalty for the use made of the invention by the infringer, together with interest and costs as fixed by the Court. Further, upon judgment in favor of Plaintiff, the Court should permanently enjoin Sony Electronics from committing the infringing acts.

**DEMAND FOR JURY TRIAL**

58. Plaintiff hereby demands a trial by jury on all issues.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully prays for entry of judgment as follows:

59. That Sony Interactive has directly infringed, either literally or under the doctrine of equivalents, one or more claims of the '274 Patent;

60. That Sony Mobile has directly infringed, either literally or under the doctrine of equivalents, and has indirectly infringed one or more claims of the '479 Patent;

61. That Sony Electronics has directly infringed, either literally or under the doctrine of equivalents, the '777 Patent, the '373 Patent, and the '648 Patent, and that Sony Electronics has indirectly infringed the '777 Patent.

62. That Plaintiff is entitled to, and should recover, all damages to which Plaintiff is entitled under 35 U.S.C. § 284, but in no event less than a reasonable royalty;

63. That Defendants be ordered to provide an accounting;

64. That Plaintiff, as the prevailing party, shall recover from Defendants all taxable costs of court;

65. That Plaintiff shall recover from Defendants all pre- and post-judgment interest on the damages award, calculated at the highest interest rates allowed by law;

66. That this case is exceptional and that Plaintiff therefore shall recover its attorney's fees and other recoverable expenses, under 35 U.S.C. § 285; and

67. That Plaintiff shall recover from Defendants such other and further relief as the Court may deem appropriate.

Dated: June 24, 2016

Respectfully submitted,

Of Counsel:

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