

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

NORTH STAR INNOVATIONS, INC.,)	
)	
Plaintiff,)	
)	
v.)	Case No.: _____
)	
EPSON AMERICA, INC.,)	JURY TRIAL DEMANDED
)	
Defendant.)	

COMPLAINT FOR PATENT INFRINGEMENT

North Star Innovations, Inc. (“North Star”), by and through its attorneys, files this Complaint for Patent Infringement against Defendant, Epson America, Inc. (“Epson”), and avers as follows:

PARTIES

1. North Star is a corporation organized and existing under the laws of Delaware, with its principal place of business located at 600 Anton Blvd., Suite 1350, Costa Mesa, CA 92626, and further having a registered office at 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808. North Star is the owner, through assignment, of the entire right, title and interest in United States Patent No. 6,465,743, entitled “MULTI-STRAND SUBSTRATE FOR BALL-GRID ARRAY ASSEMBLIES AND METHOD” (“the ‘743 Patent”).

2. Epson is a corporation incorporated under the laws of California, having its principal place of business at 3840 Kilroy Airport Way, Long Beach, CA 90806. Epson’s registered agent for service of process in the State of Delaware is The Prentice-Hall Corporation System, Inc., 2711 Centerville Road, Suite 400, Wilmington, Delaware 19808.

3. Upon information and belief, at all times relevant to this action, Epson has been engaged in the business of manufacturing, using, offering for sale and selling in the United

States, and importing into the United States, printer devices that include ball grid array (“BGA”) package integrated circuit devices.

JURISDICTION AND VENUE

4. This action arises under the patent laws of the United States, 35 U.S.C. §§ 1 et seq. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and § 1338(a).

5. This Court has personal jurisdiction over Defendant in this district, in that Defendant, directly or through its agents, is a resident of, and/or has regularly conducted business activities in this district; has committed infringing activities in this district by manufacturing, using, marketing, offering for sale, selling and importing products and systems that infringe the ‘743 Patent; and has placed products that infringe the ‘743 Patent in the stream of commerce with the knowledge and intent that they would be used, offered for sale and sold by others in this district.

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

GENERAL ALLEGATIONS

7. The ‘743 Patent was duly and legally issued by the United States Patent and Trademark Office (“USPTO”) on October 15, 2002, naming Norman Lee Owens as inventor, and Motorola, Inc., as assignee. A true and correct copy of the ‘743 Patent is attached as Exhibit “A” hereto.

8. The ‘743 Patent relates to a method for manufacturing BGA package integrated circuit devices.

9. The ‘743 Patent as issued by the USPTO is valid and enforceable.

10. The ‘743 Patent was ultimately assigned to North Star, and North Star is the

exclusive and current owner of all rights, title and interest in the '743 Patent, and is entitled to enforce the '743 Patent against infringers, including by commencing the present action.

11. Epson has engaged and continues to engage in acts of infringement under 35 U.S.C. § 271(g), *inter alia*, by using, offering for sale and selling in the United States, and importing into the United States, printer devices that include BGA package integrated circuit devices that are made according to a method that embodies all of the steps of at least one (1) claim of the '743 Patent, including, without limitation, Independent Claim 1, either literally or under the doctrine of equivalents.

12. By way of example only, one of the infringing products that Epson has specifically used, offered for sale and sold in the United States, and imported into the United States for sale, and continues to use, offer for sale and sell in the United States, and import into the United States for sale, is the Epson WorkForce Pro WF-5110 Network color inkjet printer, that includes the Epson E01A94JB Realoid Printer ASSP.

13. Epson does not have a license or other authorization to practice the claims set forth in the Patent-in-suit.

CLAIM FOR PATENT INFRINGEMENT

14. North Star incorporates by reference and in their entirety the averments set forth in paragraphs 1 through 13, inclusive, of this Complaint.

15. Epson has used, offered for sale, sold and imported into the United States for sale, and continues to use, offer for sale, sell and import into the United States for sale, printer devices, including the Epson WorkForce Pro WF-5110 Network color inkjet printer that includes the Epson E01A94JB Realoid Printer ASSP, that infringe at least Independent Claim 1 of the '743 Patent.

16. More specifically, the Epson E01A94JB Realoid Printer ASSP is a BGA package integrated circuit device that is assembled by a method that provides multiple BGA substrates arranged in an array within a printed circuit board, wherein each of the BGA substrates includes bond posts on one side of the substrate and contact pads on the other side of the substrate.

17. The method by which the Epson E01A94JB Realoid Printer ASSP is assembled further includes attaching a semiconductor die to each of the BGA substrates, with each semiconductor die including a plurality of bond pads.

18. The method by which the Epson E01A94JB Realoid Printer ASSP is assembled further includes encapsulating each semiconductor die with an encapsulant material that is cured to form a solid material to protect the semiconductor die. Conductive solder balls are attached to each of the contact pads on the one side of each substrate.

19. The method by which the Epson E01A94JB Realoid Printer ASSP is assembled further includes dividing the array into separate substantially planar BGA packages.

20. Accordingly, because the Epson E01A94JB Realoid Printer ASSP is assembled according to a method that embodies all of the steps of at least Independent Claim 1 of the '743 Patent, and because the Epson WorkForce Pro WF-5110 Network color inkjet printer includes the Epson E01A94JB Realoid Printer ASSP, these products infringe at least Independent Claim 1.

DAMAGES

21. North Star incorporates by reference and in their entirety the averments set forth in paragraphs 1 through 20, inclusive, of this Complaint.

22. Epson has caused and will continue to cause North Star substantial damage by virtue of its infringing activities.

23. North Star is entitled to recover from Epson the damages it has sustained as a result of Epson's infringing activities.

DEMAND FOR JURY TRIAL

24. North Star hereby demands a trial by jury of all issues triable of right before a jury.

PRAYER FOR RELIEF

WHEREFORE, North Star respectfully requests the following relief:

- a) That this Court enter judgment in favor of North Star and against Epson that Epson has infringed the '743 Patent;
- b) That this Court award North Star all damages adequate to compensate North Star for the harm it has suffered as a result of Epson's infringement of the '743 Patent, together with pre- and post-judgment interest and costs as fixed by the Court, all pursuant to 35 U.S.C. § 284;
- c) In the event that evidence is adduced through discovery or at trial that Epson's infringement was willful and deliberate, that this Court award North Star enhanced damages pursuant to 35 U.S.C. § 284;
- d) In the event that circumstances warrant a declaration that this case be declared to be exceptional, that this Court award North Star its reasonable attorneys' fees pursuant to 35 U.S.C. § 285; and
- e) That this Court award to North Star such other and further relief as this Court deems to be just and proper.

Dated: December 15, 2016

PHILLIPS GOLDMAN MCLAUGHLIN &
HALL, P.A.

/s/ John C. Phillips, Jr. _____

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