

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

MARINER IC INC.,	§	
	§	
Plaintiff,	§	Case No.
	§	
v.	§	JURY TRIAL DEMANDED
	§	
LENOVO GROUP, LTD.,	§	
	§	
Defendant.	§	
	§	

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Mariner IC Inc. (“Mariner” or “Plaintiff”), for its Complaint against Defendant Lenovo Group, Ltd. (“Lenovo” or “Defendant”), alleges as follows:

THE PARTIES

1. Mariner is a corporation organized and existing under the laws of the State of Texas, with its principal place of business located at 100 W. Houston Street, Marshall, Texas 75670.

2. Upon information and belief, Lenovo is a corporation organized and existing under the laws of China, with its principal place of business located at No. 6 Chuang Ye Road, Haidian District, 100085 Beijing, China.

JURISDICTION

3. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 1, et seq. This Court has jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

4. This Court has personal jurisdiction over Defendant. Defendant regularly conducts business and has committed acts of patent infringement and/or has induced acts of

patent infringement by others in this Judicial District and/or has contributed to patent infringement by others in this Judicial District, the State of Texas, and elsewhere in the United States.

5. Venue is proper in this Judicial District pursuant to 28 U.S.C. § 1391 because, among other things, Defendant is a foreign defendant not resident in the United States, and thus may be sued in any judicial district pursuant to 28 U.S.C. § 1391(c)(3).

6. Defendant is subject to this Court's jurisdiction pursuant to due process and/or the Texas Long Arm Statute due at least to its substantial business in this State and Judicial District, including (a) at least part of its past infringing activities, (b) regularly doing or soliciting business in Texas, and/or (c) engaging in persistent conduct and/or deriving substantial revenue from goods and services provided to customers in Texas.

PATENTS-IN-SUIT

7. On July 22, 1997, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 5,650,666 (the "'666 Patent") entitled "Method and Apparatus for Preventing Cracks in Semiconductor Die." A true and correct copy of the '666 Patent is available at:

<http://pdfpiw.uspto.gov/.piw?Docid=5650666&idkey=NONE&homeurl=http%3A%252F%252Fpatft.uspto.gov%252Fnethtml%252FPTO%252Fpatimg.htm>.

8. On December 8, 1998, the United States Patent and Trademark Office duly and legally issued U.S. Patent No. 5,846,874 (the "'874 Patent") entitled "Method and Apparatus for Preventing Cracks in Semiconductor Die." A true and correct copy of the '874 Patent is available at:

<http://pdfpiw.uspto.gov/.piw?PageNum=0&docid=05846874&IDKey=&HomeUrl=http%3A%2F%2Fpdfpiw.uspto.gov%2F>.

9. Mariner is the sole and exclusive owner of all right, title and interest in the '666 Patent and '874 Patent (together, the "Patents-in-Suit"), and holds the exclusive right to take all actions necessary to enforce its rights to the Patents-in-Suit, including the filing of this patent infringement lawsuit. Mariner also has the right to recover all damages for past, present, and future infringement of the Patents-in-Suit and to seek injunctive relief as appropriate under the law.

10. The Patents-in-Suit generally cover anchor structures that are placed in the corners and around the edges of a semiconductor die to prevent cracks in the die due to stress. The anchor structures are positioned at approximately a 45-degree angle to the sides of the die and are comprised of at least a substrate layer, a metal layer and an oxide layer. The placement of the anchor structures more uniformly distributes stresses along the anchor preventing cracks at the corners of the die.

11. Semiconductors using anchor structures of the type taught and disclosed in the Patents-in-Suit are found in many high definition televisions, tablets, media players, routers, cellular devices, hard drives, touch screen controllers, and other widely available products. These semiconductors include chips from Marvell Technology Group Ltd. ("Marvell") and other semiconductor manufacturers that contain the anchor structures of the '666 and '874 Patents.

12. On information and belief, Lenovo is in the business of selling electronic devices, including smartphones, accused of infringement herein.

13. Mariner has at all times complied with the marking provisions of 35 U.S.C. § 287 with respect to the Patents-in-Suit. On information and belief, prior assignees and licensees have also complied with the marking provisions of 35 U.S.C. § 287.

COUNT I
(Infringement of the '666 Patent)

14. Paragraphs 1 through 13 are incorporated herein by reference as if fully set forth in their entireties.

15. Mariner has not licensed or otherwise authorized Defendant to make, use, offer for sale, sell, or import any products that embody the inventions of the '666 Patent.

16. Defendant has and continues to directly infringe the '666 Patent, either literally or under the doctrine of equivalents, without authority and in violation of 35 U.S.C. § 271, by making, using, offering to sell, selling and/or importing into the United States products that satisfy each and every limitation of one or more claims of the '666 Patent. Upon information and belief, these products include products that utilize semiconductor devices that contain the anchor structures of the '666 Patent. On information and belief, and by way of example, these products include Lenovo smartphones that include semiconductor devices that utilize anchor structures according to the '666 Patent. By way of example, infringing products include the A3900, A368t, IdeaPhone A788t and A668t smartphones containing Marvell semiconductors that include anchor structures according to the '666 Patent. These products infringe at least claim 1 of the '666 Patent.

17. On information and belief, the semiconductors that are components of Lenovo's products, such as the Marvell and other semiconductors, include a semi-conductor die having corner areas and edges, each with open fields in which no active busses or circuits are located. These semiconductors further include a substrate layer, a first metal layer disposed over the

substrate layer, and an oxide layer disposed over the first metal layer. The anchor structures included in these semiconductors are placed in an open field of a corner area and positioned to be approximately perpendicular to a force vector impinging on the semiconductor die at approximately a 45 degree angle with respect to an imaginary line passing horizontally through the semiconductor die.

18. Mariner has suffered damages as a result of Defendant's direct infringement of the '666 Patent in an amount to be proved at trial.

19. Mariner has suffered, and will continue to suffer, irreparable harm as a result of Defendant's infringement of the '666 Patent for which there is no adequate remedy at law, unless Defendant's infringement is enjoined by this Court.

COUNT II
(Infringement of the '874 Patent)

20. Paragraphs 1 through 13 are incorporated herein by reference as if fully set forth in their entireties.

21. Mariner has not licensed or otherwise authorized Defendant to make, use, offer for sale, sell, or import any products that embody the inventions of the '874 Patent.

22. Defendant has and continues to directly infringe the '874 Patent, either literally or under the doctrine of equivalents, without authority and in violation of 35 U.S.C. § 271, by making, using, offering to sell, selling and/or importing into the United States products made by the method claimed in one or more claims of the '874 Patent. Upon information and belief, these products include products that utilize semiconductor devices that contain the anchor structures of the '874 Patent. On information and belief, and by way of example, these products include Lenovo smartphones that include semiconductor devices that utilize anchor structures according to the '874 Patent. By way of example, infringing products include the A3900, A368t,

IdeaPhone A788t and A668t smartphones containing Marvell semiconductors that include anchor structures according to the '874 Patent. These products infringe at least claim 1 of the '874 Patent.

23. On information and belief, the semiconductors that are components of Lenovo's products, such as the Marvell and other semiconductors, include a semi-conductor die having corner areas and edges, each with open fields in which no active busses or circuits are located. These semiconductors further include a substrate layer, a first metal layer disposed over the substrate layer, and an oxide layer disposed over the first metal layer. The anchor structures included in these semiconductors are placed in an open field of a corner area and positioned to be approximately perpendicular to a force vector impinging on the semiconductor die at approximately a 45 degree angle with respect to an imaginary line passing horizontally through the semiconductor die.

24. Mariner has suffered damages as a result of Defendant's direct infringement of the '874 Patent in an amount to be proved at trial.

25. Mariner has suffered, and will continue to suffer, irreparable harm as a result of Defendant's infringement of the '874 Patent for which there is no adequate remedy at law, unless Defendant's infringement is enjoined by this Court.

DEMAND FOR JURY TRIAL

Plaintiff hereby demands a jury for all issues so triable.

PRAYER FOR RELIEF

WHEREFORE, Mariner prays for relief against Defendant as follows:

- a. Entry of judgment declaring that Defendant has directly infringed one or more claims of each of the Patents-in-Suit;
- b. An order awarding damages sufficient to compensate Mariner for Defendant's infringement of the Patents-in-Suit, but in no event less than a reasonable royalty, together with interest and costs;
- c. Entry of judgment declaring that this case is exceptional and awarding Mariner its costs and reasonable attorney fees under 35 U.S.C. § 285; and
- d. Such other and further relief as the Court deems just and proper.

Dated: April 24, 2018

Respectfully submitted,

/s/ Alfred R. Fabricant

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**ATTORNEYS FOR PLAINTIFF
MARINER IC INC.**