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 POWER INTEGRATIONS, INC.

ORIGINAL FILED

JUN 14 2007

RICHARD W. WIEKING
 CLERK, U.S. DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

POWER INTEGRATIONS, INC., a Delaware
 corporation,

Plaintiff,

v.

BCD SEMICONDUCTOR CORPORATION, a
 California corporation, SHANGHAI SIM-BCD
 SEMICONDUCTOR MANUFACTURING,
 CO., LTD, a China corporation,

Defendants.

C07 03137

Case No. _____

WDB

COMPLAINT FOR PATENT
 INFRINGEMENT

DEMAND FOR JURY TRIAL

Plaintiff Power Integrations, Inc. hereby alleges as follows:

THE PARTIES

1. Power Integrations, Inc. ("Power Integrations") is incorporated under the laws of the state of Delaware, and has a regular and established place of business at 5245 Hellyer Avenue, San Jose, California 95138.

2. Upon information and belief, defendant BCD Semiconductor Corporation (hereinafter "BCD Semiconductor") is incorporated under the laws of the state of California, and has a regular established place of business at 30920 Huntwood Avenue, Suite D, Hayward, California 94544.

3. Upon information and belief, Defendant Shanghai SIM-BCD Semiconductor Manufacturing Company Ltd. (hereinafter "SIM-BCD Semiconductor") is incorporated under the laws of the People's Republic of China, with its headquarters located at 800 Yishan Road, Shanghai 200233, China.

4. Defendant BCD Semiconductor and defendant SIM-BCD Semiconductor will hereinafter be collectively referred to as "Defendants."

JURISDICTION AND VENUE

5. This action arises under the patent laws of the United States, Title 35 U.S.C. § 1 et seq. This Court has subject matter jurisdiction under 28 U.S.C. § 1338(a).

6. Upon information and belief, this Court has personal jurisdiction over Defendants because Defendants are doing business and advertising in this judicial District.

7. Upon information and belief, venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b), (c) and 1400 because the Defendants are subject to personal jurisdiction in this judicial District.

GENERAL ALLEGATIONS

8. Power Integrations' products include its TOPSwitch®, TinySwitch®, LinkSwitch®, and DPA-Switch® families of power conversion integrated circuit devices which are used in power supplies for electronic devices such as cellular telephones, LCD monitors and computers. These products are sold throughout the United States, including California.

9. Upon information and belief, Defendants manufacture pulse width modulation ("PWM") controller integrated circuit devices (e.g., devices intended for use in power conversion applications such as off-line power supplies or battery chargers for portable electronics), and directly and through their affiliates, import, sell, and offer to sell the same throughout the United States, including California.

FIRST CAUSE OF ACTION

INFRINGEMENT OF U.S. PATENT NO. 6,107,851 BY ALL DEFENDANTS

10. The allegations of paragraphs 1-9 are incorporated for this First Cause of Action as though fully set forth herein.

11. Power Integrations is now, and has been since its issuance, the assignee and sole owner of all right, title, and interest in United States Patent No. 6,107,851, entitled "Offline Converter with Integrated Softstart and Frequency Jitter" ("the '851 patent"), which was duly and legally issued on August 22, 2000. A true and correct copy of the '851 patent is attached hereto as Exhibit A.

12. Upon information and belief, Defendants have been and are now infringing, inducing infringement, and contributing to the infringement of the '851 patent in this District and elsewhere by making, using, selling, and offering to sell devices, including PWM controller integrated circuit devices, covered by one or more claims of the '851 patent, all to the injury of Power Integrations.

13. Defendants' acts of infringement have injured and damaged Power Integrations.

14. Defendants' infringement has caused irreparable injury to Power Integrations and will continue to cause irreparable injury until Defendants are enjoined from further infringement by this Court.

SECOND CAUSE OF ACTION

INFRINGEMENT OF U.S. PATENT NO. 6,249,876 BY ALL DEFENDANTS

15. The allegations of paragraphs 1-9 are incorporated for this Second Cause of Action as though fully set forth herein.

16. Power Integrations is now, and has been since its issuance, the assignee and sole owner of all right, title, and interest in United States Patent No. 6,249,876, entitled "Frequency Jittering Control for Varying the Switching Frequency of a Power Supply" ("the '876 patent"), which was duly and legally issued on June 19, 2001. A true and correct copy of the '876 patent is attached hereto as Exhibit B.

17. Upon information and belief, Defendants have been and are now infringing, inducing infringement, and contributing to the infringement of the '876 patent in this District and elsewhere

1 by making, using, selling, and offering to sell devices, including PWM controller integrated circuit
2 devices, covered by one or more claims of the '876 patent, all to the injury of Power Integrations.

3 18. Defendants' acts of infringement have injured and damaged Power Integrations.

4 19. Defendants' infringement has caused irreparable injury to Power Integrations and
5 will continue to cause irreparable injury until Defendants are enjoined from further infringement by
6 this Court.

7 **THIRD CAUSE OF ACTION**

8 **INFRINGEMENT OF U.S. PATENT NO. 5,313,381 BY ALL DEFENDANTS**

9 20. The allegations of paragraphs 1-9 are incorporated for this Third Cause of Action as
10 though fully set forth herein.

11 21. Power Integrations is now, and has been since its issuance, the assignee and sole
12 owner of all right, title, and interest in United States Patent No. 5,313,381, entitled "Three-terminal
13 switched mode power supply integrated circuit" ("the '381 patent"), which was duly and legally
14 issued on May 17, 1994. A true and correct copy of the '381 patent is attached hereto as Exhibit C.

15 22. Upon information and belief, Defendants have been and are now infringing, inducing
16 infringement, and contributing to the infringement of the '381 patent in this District and elsewhere
17 by making, using, selling, and offering to sell devices, including PWM controller integrated circuit
18 devices, covered by one or more claims of the '381 patent, all to the injury of Power Integrations.

19 23. Defendants' acts of infringement have injured and damaged Power Integrations.

20 24. Defendants' infringement has caused irreparable injury to Power Integrations and
21 will continue to cause irreparable injury until Defendants are enjoined from further infringement by
22 this Court.

23 **PRAYER FOR RELIEF**

24 WHEREFORE, Plaintiff requests the following relief:

25 (a) a permanent injunction preventing Defendants and their officers, directors, agents,
26 servants, employees, attorneys, licensees, successors, assigns, and customers, and those in active
27 concert or participation with any of them, from making, using, or selling any devices that infringe
28 any claim of the '851, '876, and '381 patents;

- 1 (b) damages in an amount to be determined at trial;
- 2 (c) costs and reasonable attorney fees incurred in connection with this action pursuant to
- 3 35 U.S.C. § 285; and
- 4 (d) such other and further relief as the Court deems appropriate.

5 **JURY DEMAND**

6 A JURY TRIAL IS DEMANDED BY PLAINTIFF.

7

8 Dated: June 14, 2007

FISH & RICHARDSON P.C.

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10 By: 

11 Howard G. Pollack

12 Attorneys for Plaintiff
13 POWER INTEGRATIONS, INC.

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