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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

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AMKOR TECHNOLOGY, INC.,

Plaintiff,

vs.

CARSEM (M) SDN BHD; CARSEM
SEMICONDUCTOR SDN BHD; and
CARSEM INC.,

Defendants.

C 03 5116
Civil Action No.

**COMPLAINT FOR PATENT
INFRINGEMENT**

DEMAND FOR JURY TRIAL

Plaintiff Amkor Technology, Inc. hereby alleges as follows:

PARTIES

1. Plaintiff Amkor Technology, Inc. ("Amkor") is a Delaware corporation with its corporate administrative headquarters located at 1345 West Enterprise Drive, West Chester, Pennsylvania 19380. Amkor's operational and product development headquarters are located at 1900 South Price Road, Chandler, Arizona 85248. Amkor has an office within this judicial district, located at 3945 Freedom Circle, Suite 830, Santa Clara, California, 95054. Amkor also has offices in Austin and Dallas, Texas; Boston, Massachusetts; Greensboro, North Carolina; and Irvine and San Diego, California. Founded in 1968, Amkor provides semiconductor "packaging" and test services to major semiconductor manufacturers worldwide.

1 2. Upon information and belief, Defendant Carsem (M) Sdn Bhd (“Carsem
2 Malaysia”) is a private limited liability company with its headquarters and principal place of
3 business located at Jalan Lapangan Terbang, P.O. Box 204, 30720 Ipoh, Perak, Malaysia.

4 3. Upon information and belief, Defendant Carsem Semiconductor Sdn Bhd
5 (“Carsem Semiconductor”) is a wholly-owned subsidiary of Carsem Malaysia, with its
6 headquarters and principal place of business located at Lot 52986, Taman Meru Industrial Estate,
7 Jelapang, P.O. Box 380, 30720 Ipoh, Perak, Malaysia.

8 4. Upon information and belief, Defendant Carsem Inc. is a California corporation
9 and a wholly-owned subsidiary of Carsem Malaysia, with its headquarters and principal place of
10 business located at 17890 Castleton Street, Suite 245, City of Industry, California 91748. Upon
11 information and belief, Carsem Inc. has an office within this judicial district located at 269 Mt.
12 Hermon Rd., Suite 104, Scotts Valley, California, 95066. Upon information and belief, Carsem
13 Inc. also maintains offices in Irving, Texas; and Plainville, Massachusetts. Upon information
14 and belief, Carsem Inc. is responsible for Carsem Malaysia’s and Carsem Semiconductor’s sales
15 and marketing activities in the United States (collectively, the defendants will be referred to as
16 “Carsem”).

17 **JURISDICTION AND VENUE**

18 5. This is an action for patent infringement arising under the patent laws of the
19 United States, Title 35, United States Code.

20 6. This Court has subject matter jurisdiction over this action under 28 U.S.C. §§
21 1331 and 1338(a).

22 7. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b), 1391(c) and
23 1400(b). On information and belief, Carsem is doing business in this district and maintains an
24 office, through Carsem Inc., in this district.

25 **INTRADISTRICT ASSIGNMENT**

26 8. This action is a patent infringement action and falls in an excepted category under
27 the Court’s Assignment Plan pursuant to Civil L.R. 3-2(c).
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THE PATENTS-IN-SUIT

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2 9. On August 13, 2002, the United States Patent and Trademark Office duly and
3 legally issued U.S. Patent No. 6,433,277 (“the Glenn ‘277 patent”), entitled “Plastic Integrated
4 Circuit Package and Method and Leadframe for Making the Package,” to Amkor as assignee of
5 Thomas P. Glenn. A copy of the Glenn ‘277 patent is attached as Exhibit A to this Complaint.
6 The Glenn ‘277 patent remains in full force and effect and Amkor continues to own it.

7 10. On October 7, 2003, the United States Patent and Trademark Office duly and
8 legally issued U.S. Patent No. 6,630,728 (“the Glenn ‘728 patent”), entitled “Plastic Integrated
9 Circuit Package and Method and Leadframe for Making the Package,” to Amkor as assignee of
10 Thomas P. Glenn. A copy of the Glenn ‘728 patent is attached as Exhibit B to this Complaint.
11 The Glenn ‘728 patent remains in full force and effect and Amkor continues to own it.

12 11. On September 24, 2002, the United States Patent and Trademark Office duly and
13 legally issued U.S. Patent No. 6,455,356 (“the Glenn ‘356 patent”), entitled “Methods for
14 Molding a Leadframe in Plastic Integrated Circuit Devices,” issued to Amkor as assignee of
15 Thomas P. Glenn, Scott J. Jewler, David Roman, J.H. Yee, and D.H. Moon. A copy of the
16 Glenn ‘356 patent is attached as Exhibit C to this Complaint. The Glenn ‘356 patent remains in
17 full force and effect and Amkor continues to own it.

18 **ACTS OF PATENT INFRINGEMENT BY DEFENDANTS**

19 12. Upon information and belief, Defendants Carsem (M) Sdn Bhd, Carsem
20 Semiconductor Sdn Bhd, and Carsem Inc. (collectively, “Carsem”) has been and is, without
21 license, infringing one or more claims of the Glenn ‘277, ‘728, and ‘356 patents (collectively,
22 “the Amkor patents”) by making, using, selling and/or offering to sell in this judicial district and
23 elsewhere in the United States, and/or by importing into this judicial district and elsewhere in the
24 United States, packaged integrated circuit devices which embody, incorporate, are manufactured
25 by a process claimed in, or otherwise practice the claimed inventions of the Amkor patents, in
26 violation of 35 U.S.C. §271.

27 13. Upon information and belief, Carsem has been and is, without license, inducing
28 infringement of and/or contributing to the infringement of the Amkor patents by others.

1 14. Upon information and belief, the infringing integrated circuit products are
2 packaged with what Carsem refers to as its "Micro Leadframe Package" ("MLP") technology,
3 including, but not limited to, integrated circuit devices packaged with Carsem's MLP-Micro
4 ("MLPM"), the MLP-Quad ("MLPQ), and MLP-Dual ("MLPD") family of products.

5 15. As a direct and proximate result of Carsem's infringement of the Amkor patents,
6 Amkor has been and continues to be damaged in its collective business and property, including
7 the loss of revenues, in an amount to be determined at trial.

8 16. Upon information and belief, Carsem has had knowledge of the Amkor patents
9 and of Carsem's infringement of the Amkor patents. Upon information and belief, Carsem has
10 been and is willfully infringing the Amkor patents, without lawful justification. Amkor is thus
11 entitled to treble damages pursuant to 35 U.S.C. §284 and reasonable attorney fees as an
12 exceptional case pursuant to 35 U.S.C. §285.

13 17. Amkor has been and continues to be irreparably harmed by Carsem's
14 infringement of the Amkor patents. Carsem's infringing activities will continue unless enjoined
15 by this Court.

16 **PRAYER FOR RELIEF**

17 WHEREFORE, by reason of the foregoing, Plaintiff Amkor Technology, Inc.
18 ("Amkor") requests this Court enter a judgment against Defendants Carsem (M) Sdn Bhd,
19 Carsem Semiconductor Sdn Bhd, and Carsem Inc. (collectively, "Carsem") as follows:

- 20 A. Carsem has infringed U.S. Patents Nos. 6,433,277, 6,455,356, and 6,630,728;
21 B. U.S. Patents Nos. 6,433,277, 6,455,356, and 6,630,728 are valid and enforceable;
22 C. Carsem, its officers, directors, subsidiaries, parents, agents, servants, employees,
23 attorneys, affiliate corporations or other business entities, and all other persons acting in concert
24 with them, and their successors and assigns, be preliminarily and permanently enjoined and
25 restrained from further infringement of U.S. Patents Nos. 6,433,277, 6,455,356, and 6,630,728;
26 D. An accounting be had for the damages to Amkor arising out of Carsem's
27 infringing activities together with interest and costs, and that such damages be awarded to
28 Amkor sufficient to compensate for infringement under 35 U.S.C. §284;

1 E. Carsem's infringement be adjudged to be willful and this case determined to be an
2 exceptional case under 35 U.S.C. §285;

3 F. Amkor be awarded increased damages three times the amount found or assessed
4 due to Carsem's willful infringement;

5 G. Amkor be awarded its attorneys' fees in this action; and

6 H. Amkor be granted such other and further relief that the Court may deem just and
7 proper.

8 Dated: November 18, 2003

SIDLEY AUSTIN BROWN & WOOD LLP

9
10 By: *Russell L. Johnson*
11 Russell L. Johnson
12 Attorneys for Plaintiff
13 AMKOR TECHNOLOGY, INC.
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DEMAND FOR JURY TRIAL

Plaintiff Amkor Technology, Inc. hereby demands a jury trial on all issues so triable in this action.

Dated: November 18, 2003

SIDLEY AUSTIN BROWN & WOOD LLP

By: 
Russell L. Johnson
Attorneys for Plaintiff
AMKOR TECHNOLOGY, INC.

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