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13 Attorneys for Plaintiff RAMBUS INC.

14 **UNITED STATES DISTRICT COURT**  
15 **NORTHERN DISTRICT OF CALIFORNIA**  
16 **SAN JOSE DIVISION**

16 RAMBUS INC.,

17 Plaintiff,

18 v.

19 MICRON TECHNOLOGY, INC., and  
20 MICRON SEMICONDUCTOR PRODUCTS,  
INC.,

21 Defendants.

Case No. 06-00244 RMW

**CORRECTED FIRST AMENDED  
COMPLAINT FOR PATENT  
INFRINGEMENT AND JURY  
DEMAND**

22  
23 Plaintiff Rambus Inc. states the following as its Complaint against Defendants Micron  
24 Technology, Inc. and Micron Semiconductor Products, Inc. (collectively "Defendants").

25 **THE PARTIES**

26 1. Rambus is a corporation organized and existing under the laws of Delaware, with  
27 its principal place of business in Los Altos, California. Rambus is a technology leader in  
28 developing chip-to-chip interface solutions that enable higher performance and system

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1 bandwidth for a broad range of consumer electronic, computing and networking applications.  
2 Rambus memory and logic interface products provide the connection from chip-to-chip, system-  
3 to-system and person-to-person, enabling state-of-the-art performance for users of PCs, video  
4 game consoles, printers, digital TVs, set-top boxes, printers, video projectors, network switches  
5 and routers.

6 2. Upon information and belief, Defendant Micron Technology, Inc. is a corporation  
7 organized and existing under the laws of Delaware, with its principal place of business located at  
8 8000 South Federal Way, Boise, Idaho 83707-0006. Upon information and belief, Defendant  
9 Micron Semiconductor Products, Inc. is a wholly owned subsidiary of Micron Technology, Inc.,  
10 which maintains an office at 2125 Onel Drive, San Jose, California 95131. Upon information  
11 and belief, Defendant Micron Semiconductor Products, Inc., also does business through its  
12 division Crucial Technology, which maintains an office at 3475 East Commercial Court,  
13 Meridian, Idaho 83642. Defendants Micron Technology, Inc. and Micron Semiconductor  
14 Products, Inc., including Crucial Technology, (collectively "Defendants") transact substantial  
15 business, either directly or through their agents, on an ongoing basis in this judicial district and  
16 elsewhere in the United States.

17 3. Unless specifically stated otherwise, the acts complained of herein were  
18 committed by, on behalf of, and/or for the benefit of Defendants.

19 **NATURE OF THE ACTION**

20 4. This is an action for patent infringement.

21 5. Defendants have infringed and continue to infringe, contribute to the infringement  
22 of, and/or actively induce others to infringe Rambus's U.S. Patent No. 6,182,184 ("the '184  
23 Patent"), U.S. Patent No. 6,260,097 ("the '097 Patent"), U.S. Patent No. 6,266,285 ("the '285  
24 Patent"), U.S. Patent No. 6,314,051 ("the '051 Patent"), U.S. Patent No. 6,493,789 ("the '789  
25 Patent"), U.S. Patent No. 6,496,897 ("the '897 Patent"), U.S. Patent No. 6,546,446 ("the '6,446  
26 Patent"), U.S. Patent No. 6,564,281 ("the '281 Patent"), U.S. Patent No. 6,584,037 ("the '037  
27 Patent"), U.S. Patent No. 6,697,295 ("the '295 Patent"), U.S. Patent No. 6,701,446 ("the '1,446  
28

1 Patent”), U.S. Patent No. 6,715,020 (“the ’5,020 Patent”), U.S. Patent No. 6,751,696 (“the ’696  
2 Patent”), and/or U.S. Patent No. 6,807,598 (“the ’598 Patent”) (collectively “Rambus Patents”).

3 **JURISDICTION AND VENUE**

4 6. This action arises under the Patent Laws of the United States, 35 U.S.C. § 1 *et*  
5 *seq.*, including 35 U.S.C. § 271. This Court has subject matter jurisdiction pursuant to 28 U.S.C.  
6 §§ 1331 and 1338(a).

7 7. This Court has personal jurisdiction over Defendants because Defendants conduct  
8 business in the State of California and have infringed, have contributed to the infringement of,  
9 have actively induced, continue to infringe, continue to contribute to the infringement of, and/or  
10 continue to actively induce others to infringe Rambus Patents as alleged below.

11 8. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b), 1391(c), 1391(d)  
12 and/or 1400(b) because a substantial part of the events giving rise to Rambus’s claims occurred  
13 in the Northern District of California and because each defendant is either resident in or  
14 otherwise subject to personal jurisdiction in the Northern District of California.

15 **FACTUAL BACKGROUND**

16 9. Rambus is one of the world’s leading designers of memory technologies used in  
17 computers, consumer electronics and network systems. Rambus also licenses its technology to  
18 various consumers, which incorporate Rambus memory technologies into various products,  
19 including memory components, memory modules, memory controllers and memory systems.

20 10. Upon information and belief, Defendants are in the business of, *inter alia*,  
21 making, using, selling, importing and/or offering for sale products in the United States that  
22 consist of or include: DDR2 (Double Data Rate 2), GDDR3 (Graphics Double Data Rate 3),  
23 and/or RLDRAM II (Reduced Latency DRAM II) memory components; DDR2 memory  
24 modules; and/or DDR2 and/or GDDR3 memory controllers (collectively “Accused Products”).

25 11. Upon information and belief, each of the Defendants has made, used, sold,  
26 imported and/or offered for sale products consisting of or including Accused Products.

27 12. On January 30, 2001, U.S. Patent No. 6,182,184 was duly and legally issued to  
28 Rambus, as assignee of the inventors named therein, for an invention entitled “Method of

1 Operating a Memory Device Having a Variable Data Input Length.” A true and correct copy of  
2 the '184 Patent is attached as Exhibit A and incorporated herein by reference.

3 13. On July 10, 2001, U.S. Patent No. 6,260,097 was duly and legally issued to  
4 Rambus, as assignee of the inventors named therein, for an invention entitled “Method and  
5 Apparatus for Controlling a Synchronous Memory Device.” A true and correct copy of the '097  
6 Patent is attached as Exhibit B and incorporated herein by reference.

7 14. On July 24, 2001, U.S. Patent No. 6,266,285 was duly and legally issued to  
8 Rambus, as assignee of the inventors named therein, for an invention entitled “Method of  
9 Operating a Memory Device Having Write Latency.” A true and correct copy of the '285 Patent  
10 is attached as Exhibit C and incorporated herein by reference.

11 15. On November 6, 2001, U.S. Patent No. 6,314,051 was duly and legally issued to  
12 Rambus, as assignee of the inventors named therein, for an invention entitled “Memory Device  
13 Having Write Latency.” A true and correct copy of the '051 Patent is attached as Exhibit D and  
14 incorporated herein by reference.

15 16. On December 10, 2002, U.S. Patent No. 6,493,789 was duly and legally issued to  
16 Rambus, as assignee of the inventors named therein, for an invention entitled “Memory Device  
17 Which Receives Write Masking and Automatic Precharge Information.” A true and correct copy  
18 of the '789 Patent is attached as Exhibit E and incorporated herein by reference.

19 17. On December 17, 2002, U.S. Patent No. 6,496,897 was duly and legally issued to  
20 Rambus, as assignee of the inventors named therein, for an invention entitled “Semiconductor  
21 Memory Device Which Receives Write Masking Information.” A true and correct copy of the  
22 '897 Patent is attached as Exhibit F and incorporated herein by reference.

23 18. On April 8, 2003, U.S. Patent No. 6,546,446 was duly and legally issued to  
24 Rambus, as assignee of the inventors named therein, for an invention entitled “Synchronous  
25 Memory Device Having Automatic Precharge.” A true and correct copy of the '6,446 Patent is  
26 attached as Exhibit G and incorporated herein by reference.

27 19. On May 13, 2003, U.S. Patent No. 6,564,281 was duly and legally issued to  
28 Rambus, as assignee of the inventors named therein, for an invention entitled “Synchronous

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1 Memory Device Having Automatic Precharge.” A true and correct copy of the ’281 Patent is  
2 attached as Exhibit H and incorporated herein by reference.

3 20. On June 24, 2003, U.S. Patent No. 6,584,037 was duly and legally issued to  
4 Rambus, as assignee of the inventors named therein, for an invention entitled “Memory Device  
5 Which Samples Data After an Amount of Time Transpires.” A true and correct copy of the ’037  
6 Patent is attached as Exhibit I and incorporated herein by reference.

7 21. On February 24, 2004, U.S. Patent No. 6,697,295 was duly and legally issued to  
8 Rambus, as assignee of the inventors named therein, for an invention entitled “Memory Device  
9 Having a Programmable Register.” A true and correct copy of the ’295 Patent is attached as  
10 Exhibit J and incorporated herein by reference.

11 22. On March 2, 2004, U.S. Patent No. 6,701,446 was duly and legally issued to  
12 Rambus, as assignee of the inventors named therein, for an invention entitled “Power Control  
13 System for Synchronous Memory Device.” A true and correct copy of the ’1,446 Patent is  
14 attached as Exhibit K and incorporated herein by reference.

15 23. On March 30, 2004, U.S. Patent No. 6,715,020 was duly and legally issued to  
16 Rambus, as assignee of the inventors named therein, for an invention entitled “Synchronous  
17 Integrated Circuit Device.” A true and correct copy of the ’5,020 Patent is attached as Exhibit L  
18 and incorporated herein by reference.

19 24. On June 15, 2004, U.S. Patent No. 6,751,696 was duly and legally issued to  
20 Rambus, as assignee of the inventors named therein, for an invention entitled “Memory Device  
21 Having a Programmable Register.” A true and correct copy of the ’696 Patent is attached as  
22 Exhibit M and incorporated herein by reference.

23 25. On October 19, 2004, U.S. Patent No. 6,807,598 was duly and legally issued to  
24 and legally issued to Rambus, as assignee of the inventors named therein, for an invention  
25 entitled “Integrated Circuit Device Having Double Data Rate Capability.” A true and correct  
26 copy of the ’598 Patent is attached as Exhibit N and incorporated herein by reference.

27 26. At all relevant times, Rambus has been the owner of the entire right, title, and  
28 interest in each of the Rambus Patents.

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1 27. Rambus is entitled to recover from Defendants the actual damages sustained by  
2 Rambus as a result of Defendants' wrongful acts alleged herein under 35 U.S.C. § 284 in an  
3 amount to be proven at trial, together with interest and costs.

4 28. Upon information and belief, Defendants' infringement of the Rambus Patents as  
5 set forth herein is willful, deliberate and in disregard of Rambus's patent rights, and Rambus is  
6 therefore entitled to increased damages up to three times the amount of actual damages and  
7 attorneys' fees, pursuant to 35 U.S.C. §§ 284, 285.

8 **COUNT I**

9 **(Patent Infringement of U.S. Patent No. 6,182,184  
Under 35 U.S.C. § 271, et. seq.)**

10 29. Rambus incorporates by reference and realleges paragraphs 1 through 28 above as  
11 though fully restated herein.

12 30. Upon information and belief, Defendants (1) have infringed and continue to  
13 infringe the '184 Patent by making, using, offering to sell, selling (directly or through  
14 intermediaries), and importing, in this district and elsewhere in the United States, Accused  
15 Products, and/or (2) have contributed to the infringement of the '184 Patent, and/or actively  
16 induced others to infringe the '184 Patent, in this district and elsewhere in the United States.

17 **COUNT II**

18 **(Patent Infringement of U.S. Patent No. 6,260,097  
Under 35 U.S.C. § 271, et. seq.)**

19 31. Rambus incorporates by reference and realleges paragraphs 1 through 30 above as  
20 though fully restated herein.

21 32. Upon information and belief, Defendants (1) have infringed and continue to  
22 infringe the '097 Patent by making, using, offering to sell, selling (directly or through  
23 intermediaries), and importing, in this district and elsewhere in the United States, Accused  
24 Products, and/or (2) have contributed to the infringement of the '097 Patent, and/or actively  
25 induced others to infringe the '097 Patent, in this district and elsewhere in the United States.

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**COUNT III**  
**(Patent Infringement of U.S. Patent No. 6,266,285  
Under 35 U.S.C. § 271, et. seq.)**

33. Rambus incorporates by reference and realleges paragraphs 1 through 32 above as though fully restated herein.

34. Upon information and belief, Defendants (1) have infringed and continue to infringe the '285 Patent by making, using, offering to sell, selling (directly or through intermediaries), and importing, in this district and elsewhere in the United States, Accused Products, and/or (2) have contributed to the infringement of the '285 Patent, and/or actively induced others to infringe the '285 Patent, in this district and elsewhere in the United States.

**COUNT IV**  
**(Patent Infringement of U.S. Patent No. 6,314,051  
Under 35 U.S.C. § 271, et. seq.)**

35. Rambus incorporates by reference and realleges paragraphs 1 through 34 above as though fully restated herein.

36. Upon information and belief, Defendants (1) have infringed and continue to infringe the '051 Patent by making, using, offering to sell, selling (directly or through intermediaries), and importing, in this district and elsewhere in the United States, Accused Products, and/or (2) have contributed to the infringement of the '051 Patent, and/or actively induced others to infringe the '051 Patent, in this district and elsewhere in the United States.

**COUNT V**  
**(Patent Infringement of U.S. Patent No. 6,493,789  
Under 35 U.S.C. § 271, et. seq.)**

37. Rambus incorporates by reference and realleges paragraphs 1 through 36 above as though fully restated herein.

38. Upon information and belief, Defendants (1) have infringed and continue to infringe the '789 Patent by making, using, offering to sell, selling (directly or through intermediaries), and importing, in this district and elsewhere in the United States, Accused Products, and/or (2) have contributed to the infringement of the '789 Patent, and/or actively induced others to infringe the '789 Patent, in this district and elsewhere in the United States.

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**COUNT VI**

**(Patent Infringement of U.S. Patent No. 6,496,897  
Under 35 U.S.C. § 271, et. seq.)**

39. Rambus incorporates by reference and realleges paragraphs 1 through 38 above as though fully restated herein.

40. Upon information and belief, Defendants (1) have infringed and continue to infringe the '897 Patent by making, using, offering to sell, selling (directly or through intermediaries), and importing, in this district and elsewhere in the United States, Accused Products, and/or (2) have contributed to the infringement of the '897 Patent, and/or actively induced others to infringe the '897 Patent, in this district and elsewhere in the United States.

**COUNT VII**

**(Patent Infringement of U.S. Patent No. 6,546,446  
Under 35 U.S.C. § 271, et. seq.)**

41. Rambus incorporates by reference and realleges paragraphs 1 through 40 above as though fully restated herein.

42. Upon information and belief, Defendants (1) have infringed and continue to infringe the '6,446 Patent by making, using, offering to sell, selling (directly or through intermediaries), and importing, in this district and elsewhere in the United States, Accused Products, and/or (2) have contributed to the infringement of the '6,446 Patent, and/or actively induced others to infringe the '6,446 Patent, in this district and elsewhere in the United States.

**COUNT VIII**

**(Patent Infringement of U.S. Patent No. 6,564,281  
Under 35 U.S.C. § 271, et. seq.)**

43. Rambus incorporates by reference and realleges paragraphs 1 through 42 above as though fully restated herein.

44. Upon information and belief, Defendants (1) have infringed and continue to infringe the '281 Patent by making, using, offering to sell, selling (directly or through intermediaries), and importing, in this district and elsewhere in the United States, Accused Products, and/or (2) have contributed to the infringement of the '281 Patent, and/or actively induced others to infringe the '281 Patent, in this district and elsewhere in the United States.



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**COUNT IX**  
**(Patent Infringement of U.S. Patent No. 6,584,037  
Under 35 U.S.C. § 271, et. seq.)**

45. Rambus incorporates by reference and realleges paragraphs 1 through 44 above as though fully restated herein.

46. Upon information and belief, Defendants (1) have infringed and continue to infringe the '037 Patent by making, using, offering to sell, selling (directly or through intermediaries), and importing, in this district and elsewhere in the United States, Accused Products, and/or (2) have contributed to the infringement of the '037 Patent, and/or actively induced others to infringe the '037 Patent, in this district and elsewhere in the United States.

**COUNT X**  
**(Patent Infringement of U.S. Patent No. 6,697,295  
Under 35 U.S.C. § 271, et. seq.)**

47. Rambus incorporates by reference and realleges paragraphs 1 through 46 above as though fully restated herein.

48. Upon information and belief, Defendants (1) have infringed and continue to infringe the '295 Patent by making, using, offering to sell, selling (directly or through intermediaries), and importing, in this district and elsewhere in the United States, Accused Products, and/or (2) have contributed to the infringement of the '295 Patent, and/or actively induced others to infringe the '295 Patent, in this district and elsewhere in the United States.

**COUNT XI**  
**(Patent Infringement of U.S. Patent No. 6,701,446  
Under 35 U.S.C. § 271, et. seq.)**

49. Rambus incorporates by reference and realleges paragraphs 1 through 48 above as though fully restated herein.

50. Upon information and belief, Defendants (1) have infringed and continue to infringe the '1,446 Patent by making, using, offering to sell, selling (directly or through intermediaries), and importing, in this district and elsewhere in the United States, Accused Products, and/or (2) have contributed to the infringement of the '1,446 Patent, and/or actively induced others to infringe the '1,446 Patent, in this district and elsewhere in the United States.

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**COUNT XII**  
**(Patent Infringement of U.S. Patent No. 6,715,020  
Under 35 U.S.C. § 271, et. seq.)**

51. Rambus incorporates by reference and realleges paragraphs 1 through 50 above as though fully restated herein.

52. Upon information and belief, Defendants (1) have infringed and continue to infringe the '020 Patent by making, using, offering to sell, selling (directly or through intermediaries), and importing, in this district and elsewhere in the United States, Accused Products, and/or (2) have contributed to the infringement of the '5,020 Patent, and/or actively induced others to infringe the '020 Patent, in this district and elsewhere in the United States.

**COUNT XIII**  
**(Patent Infringement of U.S. Patent No. 6,751,696  
Under 35 U.S.C. § 271, et. seq.)**

53. Rambus incorporates by reference and realleges paragraphs 1 through 52 above as though fully restated herein.

54. Upon information and belief, Defendants (1) have infringed and continue to infringe the '696 Patent by making, using, offering to sell, selling (directly or through intermediaries), and importing, in this district and elsewhere in the United States, Accused Products, and/or (2) have contributed to the infringement of the '696 Patent, and/or actively induced others to infringe the '696 Patent, in this district and elsewhere in the United States.

**COUNT XIV**  
**(Patent Infringement of U.S. Patent No. 6,807,598  
Under 35 U.S.C. § 271, et. seq.)**

55. Rambus incorporates by reference and realleges paragraphs 1 through 54 above as though fully restated herein.

56. Upon information and belief, Defendants (1) have infringed and continue to infringe the '598 Patent by making, using, offering to sell, selling (directly or through intermediaries), and importing, in this district and elsewhere in the United States, Accused Products, and/or (2) have contributed to the infringement of the '598 Patent, and/or actively induced others to infringe the '598 Patent, in this district and elsewhere in the United States.

**PRAYER FOR RELIEF**

WHEREFORE, Rambus asks this Court to enter judgment in its favor against Defendants and grant the following relief:

A. An adjudication that Defendants have infringed and continue to infringe the Rambus Patents as alleged above;

B. An accounting of all damages sustained by Rambus as a result of Defendants' acts of infringement;

C. An award to Rambus of actual damages adequate to compensate Rambus for Defendants' acts of patent infringement, together with prejudgment interest;

D. An award to Rambus of enhanced damages, up to and including trebling of Rambus's damages pursuant to 35 U.S.C. § 284 for Defendants' willful infringement;

E. An award of Rambus's costs of suit and reasonable attorneys' fees pursuant to 35 U.S.C. § 285 due to the exceptional nature of this case, or as otherwise permitted by law;

F. A grant of permanent injunction pursuant to 35 U.S.C. § 283, enjoining Defendants, and each of their agents, servants, employees, principals, officers, attorneys, successors, assignees, and all those in active concert or participation with them, including related individuals and entities, customers, representatives, OEMs, dealers, and distributors from further acts of (1) infringement, (2) contributory infringement, and (3) active inducement to infringe with respect to the claims of the Rambus Patents;

G. Any further relief that this Court deems just and proper.

Respectfully submitted,

DATED: April 18, 2006

DEWEY BALLANTINE LLP

By:           /S/          

Saxon S. Noh

Attorneys for Plaintiff  
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