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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

MOSAID TECHNOLOGIES INCORPORATED,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD.,
SAMSUNG ELECTRONICS AMERICA, INC.,
SAMSUNG SEMICONDUCTOR, INC., and
SAMSUNG AUSTIN SEMICONDUCTOR, L.P.,

Defendants.

Civil Action No. 01-4340 (WJM)
District of New Jersey

CONSOLIDATED WITH

INFINEON TECHNOLOGIES NORTH
AMERICA CORP.,

Plaintiff,

v.

MOSAID TECHNOLOGIES INC.,

Defendant.

Civil Action No. 02-5722 (JF/RS)
Northern District of California

FILED

OCT 28 2003

AT 8:30
WILLIAM T. WALSH
CLERK

MOSAID TECHNOLOGIES
INCORPORATED,

Counterclaimant,

v.

INFINEON TECHNOLOGIES NORTH
AMERICA CORP.,

INFINEON TECHNOLOGIES AG,

INFINEON TECHNOLOGIES HOLDING
NORTH AMERICA CORP., and

INFINEON TECHNOLOGIES RICHMOND LP,

Counterdefendants.

SECOND AMENDED COMPLAINT

THE PARTIES

1. Plaintiff, MOSAID Technologies Incorporated ("MOSAID") is an Ontario corporation that maintains its principal place of business in Ottawa, Ontario, Canada.
2. Defendant, Samsung Electronics Company, Ltd., is a foreign corporation that maintains its principal place of business at the Samsung Main Building, 250, 2-ka Taepyung-Ro Chung-Ku, Seoul, Korea.
3. Defendant, Samsung Electronics America, Inc., is a New York corporation that is registered to conduct business in the State of New Jersey and that maintains its principal place of business at 105 Challenger Rd., Ridgefield Park, New Jersey 07660.
4. Defendant, Samsung Semiconductor, Inc., is a California corporation that is registered to conduct business in the State of New Jersey and that maintains its principal place of business at 3655 North First Street, San Jose, California 95134.

JURISDICTION AND VENUE

5. This action arises under the patent laws of the United States, Title 35, United States Code. The Jurisdiction of this Court is proper under 35 U.S.C. § 271 et seq. and 28 U.S.C. § 1338.
6. Personal jurisdiction exists generally over each of the Defendants collectively, ("Samsung Defendants") because each has minimum contacts with this forum as a result of business regularly conducted within this district and specifically as a result of, at least, the Samsung Defendants' distribution network wherein Samsung Defendants place their products that infringe MOSAID's patents within the stream of commerce, which stream is directed at this district, and by committing the tort of patent infringement within this district.
7. Venue is proper in this Court under 28 U.S.C. § § 1391(c) and (d) as well as 28 U.S.C. § 1400(b).

PATENT INFRINGEMENT

8. MOSAID is the owner of United States Patent No. 5,214,602 ("the '602 patent"), which duly and legally issued for the invention of a dynamic memory word line driver.

9. Samsung Defendants have infringed and are infringing the '602 patent by making, using, offering for sale and/or selling, without authority, products, including dynamic random access memories ("DRAMs") with dynamic memory word line drivers that embody the invention patented within the '602 patent, and, on information and belief, by actively inducing and/or contributing to infringement of said patent by others. Samsung Defendants will continue to infringe the '602 patent unless enjoined by this Court.

10. Samsung Defendants' infringement of the '602 patent is willful.

11. MOSAID is the owner of United States Patent No. 5,751,643 ("the '643 patent"), which duly and legally issued for the invention of a dynamic memory word line driver.

12. Samsung Defendants have infringed and are infringing the '643 patent by making, using, offering for sale and/or selling, without authority, products, including DRAMs with dynamic memory word line drivers that embody the invention patented within the '643 patent, and, on information and belief, by actively inducing and/or contributing to infringement of said patent by others. Samsung Defendants will continue to infringe the '643 patent unless enjoined by this Court.

13. Samsung Defendants' infringement of the '643 patent is willful.

14. MOSAID is the owner of United States Patent No. 5,822,253 ("the '253 patent"), which duly and legally issued for the invention of a dynamic memory word line driver.

15. Samsung Defendants have infringed and are infringing the '253 patent by making, using, offering for sale and/or selling, without authority, products, including DRAMs with

dynamic memory word line drivers that embody the invention patented within the '253 patent, and, on information and belief, by actively inducing and/or contributing to infringement of said patent by others. Samsung Defendants will continue to infringe the '253 patent unless enjoined by this Court.

16. Samsung Defendants' infringement of the '253 patent is willful.

17. MOSAID is the owner of United States Patent No. 6,278,640 ("the '640 patent"), which duly and legally issued for the invention of a dynamic memory word line driver.

18. Samsung Defendants have infringed and are infringing the '640 patent by making, using, offering for sale and/or selling, without authority, products, including DRAMs with dynamic memory word line drivers that embody the invention patented within the '640 patent, and, on information and belief, by actively inducing and/or contributing to infringement of said patent by others. Samsung Defendants will continue to infringe the '640 patent unless enjoined by this Court.

19. Samsung Defendants' infringement of the '640 patent is willful.

20. MOSAID is the owner of United States Patent No. 5,828,620 ("the '620 patent"), which duly and legally issued for the invention of a high voltage boosted word line supply charge pump regulator for a DRAM.

21. Samsung Defendants have infringed and are infringing the '620 patent by making, using, offering for sale and/or selling, without authority, products, including DRAMs with high voltage boosted word line supply charge pump regulators that embody the invention patented within the '620 patent, and, on information and belief, by actively inducing and/or contributing to infringement of said patent by others. Samsung Defendants will continue to infringe the '620 patent unless enjoined by this Court.

22. Samsung Defendants' infringement of the '620 patent is willful.

23. MOSAID is the owner of United States Patent No. 6,055,201 ("the '201 patent"), which duly and legally issued for the invention of a high voltage boosted word line supply charge pump regulator for a DRAM.

24. Samsung Defendants have infringed and are infringing the '201 patent by making, using, offering for sale and/or selling, without authority, products, including DRAMs with high voltage boosted word line supply charge pump regulators that embody the invention patented within the '201 patent, and, on information and belief, by actively inducing and/or contributing to infringement of said patent by others. Samsung Defendants will continue to infringe the '201 patent unless enjoined by this Court.

25. Samsung Defendants' infringement of the '201 patent is willful.

26. MOSAID is the owner of United States Patent No. 6,236,581 ("the '581 patent"), which duly and legally issued for the invention of a high voltage boosted word line supply charge pump regulator for a DRAM.

27. Samsung Defendants have infringed and are infringing the '581 patent by making, using, offering for sale and/or selling, without authority, products, including DRAMs with high voltage boosted word line supply charge pump regulators that embody the invention patented within the '581 patent, and, on information and belief, by actively inducing and/or contributing to infringement of said patent by others. Samsung Defendants will continue to infringe the '581 patent unless enjoined by this Court.

28. Samsung Defendants' infringement of the '581 patent is willful.

29. MOSAID is the owner of United States Patent No. 6,603,703 B2 ("the '703 patent"), which duly and legally issued for the invention of a dynamic memory word line driver.

30. Samsung Defendants have infringed and are infringing the '703 patent by making, using, offering for sale, selling, and/or importing, without authority, products, including dynamic random access memories ("DRAMs") with a dynamic memory word line driver scheme that embody the invention patented within the '703 patent, and on information and belief, by actively inducing and/or contributing to infringement of said patent by others (including but not limited to the other Samsung Defendants). Samsung Defendants will continue to infringe the '703 patent unless enjoined by this Court.

31. MOSAID is the owner of United States Patent No. 6,580,654 B2 ("the '654 patent"), which duly and legally issued for the invention of a boosted voltage supply.

32. Samsung Defendants have infringed and are infringing the '654 patent by making, using, offering for sale, selling, and/or importing, without authority, products, including dynamic random access memories ("DRAMs") with a boosted voltage supply that embody the invention patented within the '654 patent, and on information and belief, by actively inducing and/or contributing to infringement of said patent by others (including but not limited to the other Samsung Defendants). Samsung Defendants will continue to infringe the '654 patent unless enjoined by this Court.

33. This is an exceptional case within the meaning of 35 U.S.C. § 285.

34. Under 35 U.S.C. § 284, MOSAID is entitled to actual damages adequate to compensate it for Samsung Defendants' infringement of the above-identified U.S. patents in an amount no less than a reasonable royalty for the use of the inventions. On information and belief, Samsung Electronics Co., Ltd. and/or its affiliated companies have sold approximately \$30 billion of DRAMs worldwide since 1995, and have agreed to pay other licensors royalty rates of more than three percent (3%) on DRAMs.

RELIEF

MOSAID respectfully requests the following relief:

- A. That the Court enter preliminary and permanent injunctions against Samsung Defendants' infringement of the above-identified MOSAID patents;
 - B. That the Court award damages to MOSAID to which it is entitled;
 - C. That the Court treble the actual damages in view of Samsung Defendants' willful infringement;
 - D. That the Court award interest on such damages;
 - E. That the Court award MOSAID's costs and attorney's fees incurred in this action;
- and

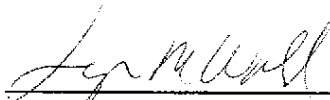
Such other relief as the court deems just and proper.

JURY DEMAND

Plaintiff, MOSAID Technologies Incorporated, requests a trial by jury on its Complaint for Patent Infringement.

Dated: October 28, 2003

Respectfully submitted,



Liza M. Walsh (LW 4095)
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Attorneys for Plaintiff
MOSAID Technologies Incorporated

RULE 11.2 CERTIFICATION

I hereby certify that the matter in controversy is related to the *Infineon Technologies North America Corp. v. MOSAID Technologies Inc.*, Civ. Action No. 02-5722 (N.Ca.), which has been consolidated with this case for discovery purposes.

Dated: October 28, 2003

By: 
Liza M. Walsh

**In the United States District Court
for the District of New Jersey**

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INFINEON TECHNOLOGIES RICHMOND LP, :

Counterdefendants. :

CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE

I hereby certify that on this 28 day of October, 2003, an original and three copies of the Second Amended Complaint to be filed with William T. Walsh, Clerk, United States District Court for the District of New Jersey, that a curiosity copy will be hand delivered to the Honorable Judge William J. Martini and the Honorable Magistrate Judge Ronald J. Hedges and that a true copy of the same to be served via facsimile and regular mail upon all counsel for parties in the within action as follows:

Attorneys for Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., Samsung Semiconductor, Inc. and Samsung Austin Semiconductor, L.P.:

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and upon attorneys for Infineon Technologies North America Corp., Infineon Technologies AG, Infineon Technologies Holding North America Corp., and Infineon Technologies Richmond LP:

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I hereby certify that the foregoing statements made by me are true. I understand that if any of the foregoing statements made by me are willfully false, that I am subject to punishment.



Agnes Antonian