

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

BRITISH TELECOMMUNICATIONS PLC,)	
)	
Plaintiff,)	
)	Civil Action No.
v.)	
)	
FREESCALE SEMICONDUCTOR, INC.)	JURY TRIAL DEMANDED
)	
Defendant.)	
)	
)	

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff British Telecommunications plc (“BT”) brings this Complaint for Patent Infringement against Defendant Freescale Semiconductor, Inc. (“Freescale”), and alleges as follows:

PARTIES

1. Plaintiff BT is a corporation organized under the laws of England and Wales, and has its principal place of business at 81 Newgate Street, London EC1A 7AJ, England.
2. On information and belief, Defendant Freescale is a corporation incorporated under the laws of the State of Delaware, and has its principal place of business at 6501 William Cannon Drive West, Austin, Texas. BT is further informed and believes that Freescale has, at all times material hereto, been registered to do business in the State of Delaware.

JURISDICTION AND VENUE

3. This action arises under the patent laws of the United States, 35 U.S.C. § 1 *et seq.*
4. This Court has subject matter jurisdiction over this action pursuant to 28 U.S.C. §§ 1331 and 1338(a).

5. Venue is proper in this district pursuant to 28 U.S.C. §§ 1391(b), 1391(c), and/or 1400(b).

CLAIM FOR RELIEF
FREESCALE'S INFRINGEMENT OF U.S. PATENT NO. 5,153,591

6. On October 6, 1992, United States Letters Patent No. 5,153,591 (“the ‘591 patent”), entitled “Method and Apparatus for Encoding, Decoding and Transmitting Data in Compressed Form,” was duly and legally issued by the United States Patent & Trademark Office. The ‘591 patent remains valid and enforceable. A true and correct copy of the ‘591 patent is attached hereto as Exhibit A.

7. BT is now, and at all times relevant to this action has been, the lawful owner of the ‘591 patent.

8. Freescale has been infringing, actively inducing the infringement of, and/or contributorily infringing the ‘591 patent under 35 U.S.C. § 271 by, without limitation, making, using, offering to sell, selling, and/or importing products that practice inventions claimed by the ‘591 patent. Such products include, without limitation, Freescale’s StarCore™ SC140/SC1400, CodeWarrior, and the IMS solutions products, and those other Freescale products and components, including chips, chipsets, firmware, and/or software, that enable compression and decompression of data to be transmitted over wireless and/or wireline networks employing and/or using methods claimed by the ‘591 patent, including, but not limited to, data compression and decompression methods in accordance with the ITU-T V.42bis Recommendation (the “Infringing Products”).

9. Freescale has been placed on notice of the ‘591 patent and Freescale’s infringement of that patent by BT.

10. Notwithstanding the fact that BT has placed Freescale on actual notice of its infringement of the '591 patent, Freescale has nonetheless continued to conduct its infringing activity willfully and wantonly.

11. BT has incurred, and will continue to incur, damages as a result of Freescale's willful infringement of the '591 patent.

REQUEST FOR RELIEF

WHEREFORE, BT respectfully requests that this Court:

- (a) enter judgment that Freescale has infringed one or more claims of the '591 patent directly and/or by inducing or contributing to infringement by others;
- (b) award BT all relief available under the patent laws of the United States based on Freescale's infringement, including, but not limited to, monetary damages and prejudgment interest;
- (c) enter judgment that Freescale's acts of infringement have been willful and award BT enhanced damages under 35 U.S.C. § 284;
- (d) determine that this case is exceptional under 35 U.S.C. § 285 and award BT its attorneys' fees and costs of suit; and
- (e) provide BT such additional and further relief as the Court deems proper.

DEMAND FOR JURY TRIAL

BT demands a trial by jury on all issues so triable.

YOUNG CONAWAY STARGATT & TAYLOR, LLP

/s/ Melanie K. Sharp

Melanie K. Sharp (No. 2501)
The Brandywine Building
1000 West Street, 17th Floor
Wilmington, Delaware 19801

P.O. Box 391
Wilmington, Delaware 19899-0391
(302) 571-6681
msharp@ycst.com

James H. Shalek
Joon R. Yoon
PROSKAUER ROSE LLP
1585 Broadway
New York, NY 10036-8299
(212) 969-3000

Dated: February 20, 2009

Attorneys for British Telecommunications plc