

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

LONESTAR INVENTIONS, L.P.	§	
Plaintiff	§	
	§	
v.	§	CIVIL ACTION NO.
	§	
MATSUSHITA ELECTRIC INDUSTRIAL	§	
CO., LTD. and PANASONIC	§	JURY TRIAL DEMANDED
CORPORATION OF NORTH AMERICA,	§	
Defendants	§	

COMPLAINT AND APPLICATION FOR PERMANENT INJUNCTION

Plaintiff Lonestar Inventions, L.P. (“Lonestar”) brings this action against Defendants Matsushita Electric Industrial Co., Ltd. and Panasonic Corporation of North America, and alleges:

NATURE OF THE CASE

1. This is an action arising under the patent laws of the United States (Title 35, United States Code, § 271 *et seq.*) based upon defendants infringement of patents owned by Lonestar and relating generally to the field of semiconductors, specifically capacitor structure. Lonestar seeks damages for defendants’ infringement and a permanent injunction restraining defendants from further infringement.

PARTIES

2. Plaintiff Lonestar is a Texas limited partnership.
3. Upon information and belief, Defendant Matsushita Electric Industrial Co., Ltd. is incorporated under the laws of Japan and maintains its principal place of business at 1006 Oaza Kadoma, Kadoma City, Osaka, 571-8501, Japan.

4. Upon information and belief, Defendant Panasonic Corporation of North America, a Delaware corporation, is a wholly owned domestic subsidiary of Matsushita Electric Industrial Co., Ltd. and maintains its principal place of business at One Panasonic Way, Secaucus, New Jersey, 07094.

JURISDICTION

5. This action arises under the patent laws of the United States, Title 35 United States Code. Subject matter jurisdiction is proper under 28 U.S.C. § 1331 and § 1338.

6. This court has personal jurisdiction over Defendants Matsushita Electric Industrial Co., Ltd. and Panasonic Corporation of North America (hereafter referred to jointly as “Panasonic”). Upon information and belief, Panasonic conducts business in this State and is selling and offering to sell, and has within a reasonable period prior to the filing of this action, sold and offered to sell its products, including the infringing products, such as its Panasonic MN884321A integrated circuits, to customers in this State and in this District, either directly or indirectly. Upon information and belief, Panasonic has placed its products, including the infringing products, into the stream of commerce, knowing or reasonably expecting that such products will be used, sold, or offered to be sold in this State and in this District. Upon information and belief, Panasonic has intentionally established distribution channels to offer its products for sale and to sell its products, including the infringing products, in this State and in this District.

VENUE

7. Venue is proper in this Court under 28 U.S.C. § 1400(b) because Panasonic resides in this District within the meaning of 28 U.S.C. § 1391(c). In addition, venue is proper in this Court under 28 U.S.C. §§ 1391(b)-(c) because (i) Panasonic resides in this District, and/or (ii) a

substantial part of the events or omissions giving rise to the claims against Panasonic occurred in this District.

FIRST CAUSE OF ACTION

8. Plaintiff incorporates paragraphs one through seven.

9. Lonestar is the sole owner of United States Patent No. 5,208,725 entitled “HIGH CAPACITANCE STRUCTURE IN A SEMICONDUCTOR DEVICE,” (the “’725 Patent”).

10. The ‘725 Patent was duly and legally issued on May 4, 1993 to Osman E. Akcasu. A copy of the ‘725 Patent is attached as Exhibit “A.”

11. Mr. Akcasu assigned the ‘725 Patent to Lonestar.

12. Upon information and belief Panasonic has been and currently is infringing, contributing to the infringement of, and/or inducing the infringement of the ‘725 Patent, by among other things, making, using, selling, offering for sale, and/or importing within the territorial boundaries of the United States products that are covered by one or more claims of the ‘725 Patent.

13. Upon information and belief, infringement of the ‘725 patent has been and is willful, and will continue unless enjoined by the Court. Lonestar has suffered, and will continue to suffer, irreparable injury as a result of this willful infringement. Pursuant to 35 U.S.C. § 284, Lonestar is entitled to damages for infringement and treble damages. Pursuant to 35 U.S.C. § 283, Lonestar is entitled to a permanent injunction against further infringement.

14. This case is exceptional, and Lonestar therefore is entitled to attorneys’ fees pursuant to 35 U.S.C. §285.

PRAYER FOR RELIEF

15. Lonestar respectfully requests the following relief:

a. That Defendants Matsushita Electric Industrial Co., Ltd. and Panasonic Corporation of North America be adjudged to have infringed or induced others to infringe the '725 Patent;

b. That the Court enter a permanent injunction against Defendants Matsushita Electric Industrial Co., Ltd. and Panasonic Corporation of North America, and all others in active concert with one or more of them, prohibiting them from directly or indirectly infringing, or inducing others to infringe, the '725 Patent;

c. That the Court order an accounting for damages by virtue of Defendants Matsushita Electric Industrial Co., Ltd. and Panasonic Corporation of North America, infringement of the '725 Patent;

d. That the Court award damages to Lonestar against Defendants Matsushita Electric Industrial Co., Ltd. and Panasonic Corporation of North America, pursuant to 35 U.S.C. § 284;

e. That the Court treble the damages for willful infringement pursuant to 35 U.S.C. § 284;

f. That the Court award Lonestar pre-judgment and post-judgment interest and its costs, pursuant to 35 U.S.C. §284;

g. That the Court award Lonestar attorneys' fees incurred in this action pursuant to 35 U.S.C. § 285; and

h. That Lonestar be awarded such other and further relief as this Court deems just and proper.

DEMAND FOR A JURY TRIAL

16. Lonestar hereby demands a trial by jury as to all issues triable by a jury.

Respectfully submitted,

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