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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

GREGORY BENDER, ) Case No. C 09-01244 JL  
)  
Plaintiff, ) AMENDED COMPLAINT FOR PATENT  
vs. ) INFRINGEMENT; AND  
) DEMAND FOR JURY TRIAL  
STMICROELECTRONICS CORPORATION, )  
a Delaware corporation, )  
)  
Defendant. )  
)

Plaintiff Gregory Bender, through counsel, hereby amends his  
complaint against STMicroelectronics Corporation so that, as so  
amended, it alleges as follows:

JURISDICTION AND VENUE

1. This is an action for patent infringement arising under  
the patent laws of the United State of America (Title 35 of the  
United States Code) and the Court has subject matter jurisdiction  
over this action pursuant to 28 U.S.C. Sections 1331 and 1338(a).

2. Venue is proper in this judicial district pursuant to 28  
U.S.C. 1391(b) and (c) and 1400(b).

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INTRADISTRICT ASSIGNMENT

3. This patent action is an excepted category pursuant to Local Rule 3-2(c), Assignment of a Division, to be assigned on a district-wide basis.

THE PARTIES

4. Plaintiff Gregory Bender is an individual whose residence is in San Jose, California.

5. Defendant STMicroelectronics Corporation ("STMicroelectronics") is a Delaware corporation with a place of business situated in San Jose, California.

THE PATENT-IN-SUIT

6. On April 9, 1992, United States Patent Number 5,103,188 (the "'188 Patent") entitled "Buffered Transconductance Amplifier" issued to plaintiff Gregory Bender and since that date the plaintiff has been and still is the owner of the '188 Patent and of all right of recovery for damages thereunder. A copy of the '188 Patent is attached hereto as Exhibit 1.

FIRST CAUSE OF ACTION  
(Infringement of the '188 Patent)

7. Plaintiff realleges and incorporates by this reference thereto the allegations set forth in paragraphs 1 through 6.

8. On information and belief, in violation of 35 U.S.C. Section 271, et seq., STMicroelectronics has performed acts and performs acts that infringe, and induce others to infringe, one or more of the claims of the '188 Patent (including, without limitation, claims 8-14 and 29-46) by making, using, offering for

1 sale, and/or selling products that consist of, comprise, and/or  
2 contain at least one circuit, silicon or otherwise, which  
3 contains and/or utilizes at least one buffered transconductance  
4 amplifier (commonly known in the analog electronics industries as  
5 a "current feedback amplifier," a "high-gain current feedback  
6 amplifier," or a "voltage feedback amplifier" as the case may be)  
7 and/or by practicing related methods embodying inventions claimed  
8 therein, which such products include, without limitation, cell  
9 phones, computer equipment, network drivers, high definition  
10 television sets, ultrasound machines, MRI machines, lab  
11 equipment, arbitrary waveform generators, audio amplifiers, video  
12 amplifiers, hard disc drives, ADC/DAC converters, DVD-RW players,  
13 DSL modems, CCD cameras, satellite communication technology, and  
14 other products where high performance, high speed analog circuits  
15 are used, and/or components thereof.

16 9. On information and belief, STMicroelectronics has known  
17 of the '188 Patent and has pursued its knowing and willful  
18 infringement thereof in flagrant disregard of the rights of the  
19 plaintiff thereunder.

20 10. On information and belief, such conduct described in  
21 paragraphs 8 and 9 constitutes willful infringement.

22 11. Plaintiff has been damaged by such infringement.

23 WHEREFORE, Plaintiff prays for judgment as follows:

24 A. For an accounting and award for damages resulting from  
25 the infringement by the defendant and a trebling of such damages  
26

1 because of the knowing, willful, and wanton nature of such  
2 infringement;

3 B. For interest on the damages computed;

4 C. For a determination that this is an exceptional case and  
5 an award of attorney's fees and costs and expenses in this  
6 action; and

7 D. For such other and further relief as the Court deems just  
8 and proper.

9  
10 Dated: May 20, 2009  
11 Piedmont, California

/s/  
David N. Kuhn, Counsel for Plaintiff

DEMAND FOR JURY TRIAL

Plaintiff respectfully requests a jury trial as to all  
issues triable thereby.

Dated: May 20, 2009  
Piedmont, California

/S/  
David N. Kuhn, counsel