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Attorneys for Plaintiff  
RAMBUS INC.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

RAMBUS INC.,

Plaintiff,

v.

NVIDIA CORPORATION,

Defendant.

Case No. C0803343YCS

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

First Amended Complaint for Patent  
Infringement and Jury Demand

**FILED**

JUL 10 2008

RICHARD W. WIEKING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

McKOOL SMITH P.C.  
300 Crescent Court, Suite 1500  
Dallas, TX 75201

ORIGINAL

**FAXED**

1 Plaintiff Rambus Inc. states the following as its Complaint against defendant NVIDIA  
2 Corporation.

### 3 THE PARTIES

4 1. Rambus Inc. ("Rambus") is a corporation organized and existing under the laws  
5 of Delaware, with its principal place of business in Los Altos, California. Rambus is a  
6 technology leader in developing memory interface solutions that enable higher performance and  
7 system bandwidth for a broad range of electronic, computing and networking applications for  
8 consumers and businesses. Rambus's interface products and technology enable state-of-the-art  
9 performance for users of PCs, video game consoles, printers, digital TVs, set-top boxes, video  
10 projectors, network switches and routers.

11 2. Upon information and belief, defendant NVIDIA Corporation ("NVIDIA" or  
12 "Defendant") is a corporation organized and existing under the laws of Delaware, with its  
13 headquarters located at 2701 San Tomas Expressway, Santa Clara, California, 95050. Upon  
14 information and belief, NVIDIA transacts substantial business, either directly or through its  
15 agent, on an ongoing basis in this judicial district and elsewhere in the United States.

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

### 18 NATURE OF THE ACTION

19 4. This is an action for patent infringement.

20 5. On information and belief, NVIDIA has been and is infringing, contributing to the  
21 infringement of, and/or actively inducing others to infringe Rambus' U.S. Patent No. 7,209,997  
22 ("the '997 Patent"), U.S. Patent No. 6,751,696 ("the '696 Patent"), U.S. Patent No. 6,564,281  
23 ("the '281 Patent"), U.S. Patent No. 6,496,897 ("the '897 Patent"), U.S. Patent No. 6,493,789  
24 ("the '789 Patent"), U.S. Patent No. 6,470,405 ("the '405 Patent"), U.S. Patent No. 7,287,109  
25 ("the '109 Patent"), U.S. Patent No. 7,330,952 ("the '952 Patent"), U.S. Patent No. 7,330,953  
26 ("the '953 Patent"), U.S. Patent No. 7,360,050 ("the '050 Patent"), U.S. Patent No. 7,287,119  
27 ("the '119 Patent"), U.S. Patent No. 7,210,016 ("the '016 Patent"), U.S. Patent No. 7,177,998  
28 ("the '998 Patent"), U.S. Patent No. 6,591,353 ("the '353 Patent"), U.S. Patent No. 6,260,097

1 (“the ’097 Patent”), U.S. Patent No. 6,304,937 (“the ’937 Patent”) and/or U.S. Patent No.  
2 6,715,020 (“the ’020 Patent”). The patents identified in this paragraph are referred to herein as  
3 the “Rambus Patents.”

#### 4 JURISDICTION AND VENUE

5 6. This action arises under the Patent Laws of the United States, 35 U.S.C. § 1 *et*  
6 *seq.*, including 35 U.S.C. § 271. This Court has subject matter jurisdiction pursuant to 28 U.S.C.  
7 §§ 1331 and 1338(a).

8 7. This Court has personal jurisdiction over Defendant because Defendant conducts  
9 business in the State of California and in this judicial district, and has been infringing,  
10 contributing to the infringement of and/or actively inducing others to infringe the Rambus  
11 Patents as alleged below.

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

#### 17 INTRADISTRICT ASSIGNMENT

18 9. Assignment of this action on a district-wide basis is appropriate because this is an  
19 Intellectual Property Action. Assignment to the San Jose Division of the U.S. District Court for  
20 the Northern District of California would be appropriate because a substantial part of the events  
21 and damages giving rise to the action occurred in the San Jose Division, because Rambus’s  
22 principal place of business is located in Santa Clara County within the San Jose Division, and  
23 because defendant NVIDIA’s headquarters is located in Santa Clara County within the San Jose  
24 Division.

#### 25 FACTUAL BACKGROUND

26  
27 10. Rambus is one of the world’s leading designers of memory interface technologies  
28 used in computers, consumer electronics and network systems. Rambus licenses its technologies

1 to various customers, who then incorporate them into various products, including memory  
2 controllers, memory components, memory modules and memory systems.

3 11. Upon information and belief, NVIDIA has made, used, sold, imported and/or  
4 offered for sale, and/or continues to make, use, sell, import and/or offer for sale, products in the  
5 United States consisting of or including SDR (Single Data Rate) memory controllers, DDR  
6 (Double Data Rate) memory controllers, DDRx memory controllers (where DDRx includes at  
7 least DDR2 and DDR3), GDDR (Graphics Double Data Rate) memory controllers, and/or  
8 GDDRx memory controllers (where GDDRx includes at least GDDR3) (collectively "Accused  
9 Products"). Accused Products include chipsets, graphics processors, media communication  
10 processors, multimedia applications processors and/or products that are part of NVIDIA's  
11 "GeForce," "Quadro," "nForce," "Tesla," "Tegra" and/or "GoForce" product lines.

12 12. On April 24, 2007, U.S. Patent No. 7,209,997, entitled "Controller Device and  
13 Method for Operating Same," was duly and legally issued to Rambus, as assignee of the  
14 inventors named therein. A true and correct copy of the '997 Patent is attached as Exhibit A and  
15 incorporated herein by reference.

16 13. On June 15, 2004, U.S. Patent No. 6,751,696, entitled "Memory Device Having a  
17 Programmable Register," was duly and legally issued to Rambus, as assignee of the inventors  
18 named therein. A true and correct copy of the '696 Patent is attached as Exhibit B and  
19 incorporated herein by reference.

20 14. On May 13, 2003, U.S. Patent No. 6,564,281, entitled "Synchronous Memory  
21 Device Having Automatic Precharge," was duly and legally issued to Rambus, as assignee of the  
22 inventors named therein. A true and correct copy of the '281 Patent is attached as Exhibit C and  
23 incorporated herein by reference.

24 15. On December 17, 2002, U.S. Patent No. 6,496,897, entitled "Semiconductor  
25 Memory Device Which Receives Write Masking Information," was duly and legally issued to  
26 Rambus, as assignee of the inventors named therein. A true and correct copy of the '897 Patent  
27 is attached as Exhibit D and incorporated herein by reference.  
28



1           16.     On December 10, 2002, U.S. Patent No. 6,493,789, entitled "Memory Device  
2 Which Receives Write Masking and Automatic Precharge Information," was duly and legally  
3 issued to Rambus, as assignee of the inventors named therein. A true and correct copy of the  
4 '789 Patent is attached as Exhibit E and incorporated herein by reference.

5           17.     On October 22, 2002, U.S. Patent No. 6,470,405, entitled "Protocol for  
6 Communication with Dynamic Memory," was duly and legally issued to Rambus, as assignee of  
7 the inventors named therein. A true and correct copy of the '405 Patent is attached as Exhibit F  
8 and incorporated herein by reference.

9           18.     On October 23, 2007, U.S. Patent No. 7,287,109, entitled "Method of Controlling  
10 a Memory Device Having a Memory Core," was duly and legally issued to Rambus, as assignee  
11 of the inventors named therein. A true and correct copy of the '109 Patent is attached as Exhibit  
12 G and incorporated herein by reference.

13           19.     On February 12, 2008, U.S. Patent No. 7,330,952, entitled "Integrated Circuit  
14 Memory Device Having Delayed Write Timing Based on Read Response Time," was duly and  
15 legally issued to Rambus, as assignee of the inventors named therein. A true and correct copy of  
16 the '952 Patent is attached as Exhibit H and incorporated herein by reference.

17           20.     On February 12, 2008, U.S. Patent No. 7,330,953, entitled "Memory System  
18 Having Delayed Write Timing," was duly and legally issued to Rambus, as assignee of the  
19 inventors named therein. A true and correct copy of the '953 Patent is attached as Exhibit I and  
20 incorporated herein by reference.

21           21.     On April 15, 2008, U.S. Patent No. 7,360,050, entitled "Integrated Circuit  
22 Memory Device Having Delayed Write Capability," was duly and legally issued to Rambus, as  
23 assignee of the inventors named therein. A true and correct copy of the '050 Patent is attached  
24 as Exhibit J and incorporated herein by reference.

25           22.     On October 23, 2007, U.S. Patent No. 7,287,119, entitled "Integrated Circuit  
26 Memory Device with Delayed Write Command Processing," was duly and legally issued to  
27 Rambus, as assignee of the inventors named therein. A true and correct copy of the '119 Patent  
28 is attached as Exhibit K and incorporated herein by reference.

23. On April 24, 2007, U.S. Patent No. 7,210,016, entitled "Method, System and Memory Controller Utilizing Adjustable Write Data Delay Settings," was duly and legally issued to Rambus, as assignee of the inventors named therein. A true and correct copy of the '016 Patent is attached as Exhibit L and incorporated herein by reference.

24. On February 13, 2007, U.S. Patent No. 7,177,998, entitled "Method, System and Memory Controller Utilizing Adjustable Read Data Delay Settings," was duly and legally issued to Rambus, as assignee of the inventors named therein. A true and correct copy of the '998 Patent is attached as Exhibit M and incorporated herein by reference.

25. On July 8, 2003, U.S. Patent No. 6,591,353, entitled "Protocol for Communication with Dynamic Memory," was duly and legally issued to Rambus, as assignee of the inventors named therein. A true and correct copy of the '353 Patent is attached as Exhibit N and incorporated herein by reference.

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

27. On October 16, 2001, U.S. Patent No. 6,304,937, entitled "Method of Operation of a Memory Controller," was duly and legally issued to Rambus, as assignee of the inventors named therein. A true and correct copy of the '937 Patent is attached as Exhibit P and incorporated herein by reference.

28. On March 30, 2004, U.S. Patent No. 6,715,020, entitled "Synchronous Integrated Circuit Device," was duly and legally issued to Rambus, as assignee of the inventors named therein. A true and correct copy of the '020 Patent is attached as Exhibit Q and incorporated herein by reference.

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



36. Upon information and belief, Defendant (1) has infringed and continues to infringe the '696 Patent, literally and/or under the doctrine of equivalents, by making, using, offering to sell, selling, and/or importing, directly and/or through intermediaries, Accused Products consisting of or including at least DDR, DDR2, DDR3, GDDR and/or GDDR3 memory controllers, in this district and elsewhere in the United States, and/or (2) has contributed and continues to contribute to the literal infringement and/or infringement under the doctrine of equivalents of the '696 Patent, and/or has actively induced and continues to actively induce others to infringe the '696 Patent, literally and/or under the doctrine of equivalents, in this district and elsewhere in the United States.

### **COUNT III**

**(Patent Infringement of U.S. Patent No. 6,564,281  
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, Defendant (1) has infringed and continues to infringe the '281 Patent, literally and/or under the doctrine of equivalents, by making, using, offering to sell, selling, and/or importing, directly and/or through intermediaries, Accused Products consisting of or including at least SDR, DDR, DDR2, DDR3, GDDR and/or GDDR3 memory controllers, in this district and elsewhere in the United States, and/or (2) has contributed and continues to contribute to the literal infringement and/or infringement under the doctrine of equivalents of the '281 Patent, and/or has actively induced and continues to actively induce others to infringe the '281 Patent, literally and/or under the doctrine of equivalents, in this district and elsewhere in the United States.

### **COUNT IV**

**(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, Defendant (1) has infringed and continues to infringe the '897 Patent, literally and/or under the doctrine of equivalents, by making, using,



1 offering to sell, selling, and/or importing, directly and/or through intermediaries, Accused  
 2 Products consisting of or including at least DDR, DDR2, DDR3, GDDR and/or GDDR3 memory  
 3 controllers, in this district and elsewhere in the United States, and/or (2) has contributed and  
 4 continues to contribute to the literal infringement and/or infringement under the doctrine of  
 5 equivalents of the '897 Patent, and/or has actively induced and continues to actively induce  
 6 others to infringe the '897 Patent, literally and/or under the doctrine of equivalents, in this  
 7 district and elsewhere in the United States.

8 **COUNT V**

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

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

12 42. Upon information and belief, Defendant (1) has infringed and continues to  
 13 infringe the '789 Patent, literally and/or under the doctrine of equivalents, by making, using,  
 14 offering to sell, selling, and/or importing, directly and/or through intermediaries, Accused  
 15 Products consisting of or including at least DDR, DDR2, DDR3, GDDR and/or GDDR3 memory  
 16 controllers, in this district and elsewhere in the United States, and/or (2) has contributed and  
 17 continues to contribute to the literal infringement and/or infringement under the doctrine of  
 18 equivalents of the '789 Patent, and/or has actively induced and continues to actively induce  
 19 others to infringe the '789 Patent, literally and/or under the doctrine of equivalents, in this  
 20 district and elsewhere in the United States.

21 **COUNT VI**

22 **(Patent Infringement of U.S. Patent No. 6,470,405  
 Under 35 U.S.C. § 271, *et. seq.*)**

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

25 44. Upon information and belief, Defendant (1) has infringed and continues to  
 26 infringe the '405 Patent, literally and/or under the doctrine of equivalents, by making, using,  
 27 offering to sell, selling, and/or importing, directly and/or through intermediaries, Accused  
 28 Products consisting of or including at least DDR2, DDR3 and/or GDDR3 memory controllers, in

1 this district and elsewhere in the United States, and/or (2) has contributed and continues to  
 2 contribute to the literal infringement and/or infringement under the doctrine of equivalents of the  
 3 '405 Patent, and/or has actively induced and continues to actively induce others to infringe the  
 4 '405 Patent, literally and/or under the doctrine of equivalents, in this district and elsewhere in the  
 5 United States.

#### 6 COUNT VII

7 (Patent Infringement of U.S. Patent No. 7,287,109  
 8 Under 35 U.S.C. § 271, *et. seq.*)

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

11 46. Upon information and belief, Defendant (1) has infringed and continues to  
 12 infringe the '109 Patent, literally and/or under the doctrine of equivalents, by making, using,  
 13 offering to sell, selling, and/or importing, directly and/or through intermediaries, Accused  
 14 Products consisting of or including at least DDR2, DDR3 and/or GDDR3 memory controllers, in  
 15 this district and elsewhere in the United States, and/or (2) has contributed and continues to  
 16 contribute to the literal infringement and/or infringement under the doctrine of equivalents of the  
 17 '109 Patent, and/or has actively induced and continues to actively induce others to infringe the  
 18 '109 Patent, literally and/or under the doctrine of equivalents, in this district and elsewhere in the  
 19 United States.

#### 20 COUNT VIII

21 (Patent Infringement of U.S. Patent No. 7,330,952  
 22 Under 35 U.S.C. § 271, *et. seq.*)

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

25 48. Upon information and belief, Defendant (1) has infringed and continues to  
 26 infringe the '952 Patent, literally and/or under the doctrine of equivalents, by making, using,  
 27 offering to sell, selling, and/or importing, directly and/or through intermediaries, Accused  
 28 Products consisting of or including at least DDR2 and/or DDR3 memory controllers, in this  
 district and elsewhere in the United States, and/or (2) has contributed and continues to contribute  
 to the literal infringement and/or infringement under the doctrine of equivalents of the '952

1 Patent, and/or has actively induced and continues to actively induce others to infringe the '952  
 2 Patent, literally and/or under the doctrine of equivalents, in this district and elsewhere in the  
 3 United States.

4 **COUNT IX**

5 **(Patent Infringement of U.S. Patent No. 7,330,953  
 Under 35 U.S.C. § 271, *et. seq.*)**

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

8 50. Upon information and belief, Defendant (1) has infringed and continues to  
 9 infringe the '953 Patent, literally and/or under the doctrine of equivalents, by making, using,  
 10 offering to sell, selling, and/or importing, directly and/or through intermediaries, Accused  
 11 Products consisting of or including at least DDR2 and/or DDR3 memory controllers, in this  
 12 district and elsewhere in the United States, and/or (2) has contributed and continues to contribute  
 13 to the literal infringement and/or infringement under the doctrine of equivalents of the '953  
 14 Patent, and/or has actively induced and continues to actively induce others to infringe the '953  
 15 Patent, literally and/or under the doctrine of equivalents, in this district and elsewhere in the  
 16 United States.

17 **COUNT X**

18 **(Patent Infringement of U.S. Patent No. 7,360,050  
 Under 35 U.S.C. § 271, *et. seq.*)**

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

21 52. Upon information and belief, Defendant (1) has infringed and continues to  
 22 infringe the '050 Patent, literally and/or under the doctrine of equivalents, by making, using,  
 23 offering to sell, selling, and/or importing, directly and/or through intermediaries, Accused  
 24 Products consisting of or including at least DDR2 and/or DDR3 memory controllers, in this  
 25 district and elsewhere in the United States, and/or (2) has contributed and continues to contribute  
 26 to the literal infringement and/or infringement under the doctrine of equivalents of the '050  
 27 Patent, and/or has actively induced and continues to actively induce others to infringe the '050  
 28

1 Patent, literally and/or under the doctrine of equivalents, in this district and elsewhere in the  
2 United States.

3 **COUNT XI**  
4 **(Patent Infringement of U.S. Patent No. 7,287,119**  
5 **Under 35 U.S.C. § 271, *et. seq.*)**

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

7 54. Upon information and belief, Defendant (1) has infringed and continues to  
8 infringe the '119 Patent, literally and/or under the doctrine of equivalents, by making, using,  
9 offering to sell, selling, and/or importing, directly and/or through intermediaries, Accused  
10 Products consisting of or including at least DDR2 and/or DDR3 memory controllers, in this  
11 district and elsewhere in the United States, and/or (2) has contributed and continues to contribute  
12 to the literal infringement and/or infringement under the doctrine of equivalents of the '119  
13 Patent, and/or has actively induced and continues to actively induce others to infringe the '119  
14 Patent, literally and/or under the doctrine of equivalents, in this district and elsewhere in the  
15 United States.

16 **COUNT XII**  
17 **(Patent Infringement of U.S. Patent No. 7,210,016**  
18 **Under 35 U.S.C. § 271, *et. seq.*)**

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

20 56. Upon information and belief, Defendant (1) has infringed and continues to  
21 infringe the '016 Patent, literally and/or under the doctrine of equivalents, by making, using,  
22 offering to sell, selling, and/or importing, directly and/or through intermediaries, Accused  
23 Products consisting of or including at least DDR3 memory controllers, in this district and  
24 elsewhere in the United States, and/or (2) has contributed and continues to contribute to the  
25 literal infringement and/or infringement under the doctrine of equivalents of the '016 Patent,  
26 and/or has actively induced and continues to actively induce others to infringe the '016 Patent,  
27 literally and/or under the doctrine of equivalents, in this district and elsewhere in the United  
28 States.



**COUNT XIII**

(Patent Infringement of U.S. Patent No. 7,177,998  
Under 35 U.S.C. § 271, *et. seq.*)

57. Rambus incorporates by reference and realleges paragraphs 1 through 56 above as though fully restated herein.

58. Upon information and belief, Defendant (1) has infringed and continues to infringe the '998 Patent, literally and/or under the doctrine of equivalents, by making, using, offering to sell, selling, and/or importing, directly and/or through intermediaries, Accused Products consisting of or including at least DDR3 memory controllers, in this district and elsewhere in the United States, and/or (2) has contributed and continues to contribute to the literal infringement and/or infringement under the doctrine of equivalents of the '998 Patent, and/or has actively induced and continues to actively induce others to infringe the '998 Patent, literally and/or under the doctrine of equivalents, in this district and elsewhere in the United States.

**COUNT XIV**

(Patent Infringement of U.S. Patent No. 6,591,353  
Under 35 U.S.C. § 271, *et. seq.*)

59. Rambus incorporates by reference and realleges paragraphs 1 through 58 above as though fully restated herein.

60. Upon information and belief, Defendant (1) has infringed and continues to infringe the '353 Patent, literally and/or under the doctrine of equivalents, by making, using, offering to sell, selling, and/or importing, directly and/or through intermediaries, Accused Products consisting of or including at least DDR2, DDR3 and/or GDDR3 memory controllers, in this district and elsewhere in the United States, and/or (2) has contributed and continues to contribute to the literal infringement and/or infringement under the doctrine of equivalents of the '353 Patent, and/or has actively induced and continues to actively induce others to infringe the '353 Patent, literally and/or under the doctrine of equivalents, in this district and elsewhere in the United States.

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

61. Rambus incorporates by reference and realleges paragraphs 1 through 60 above as though fully restated herein.

62. Upon information and belief, Defendant (1) has infringed and continues to infringe the '097 Patent, literally and/or under the doctrine of equivalents, by making, using, offering to sell, selling, and/or importing, directly and/or through intermediaries, Accused Products consisting of or including at least DDR, DDR2, DDR3, GDDR and/or GDDR3 memory controllers, in this district and elsewhere in the United States, and/or (2) has contributed and continues to contribute to the literal infringement and/or infringement under the doctrine of equivalents of the '097 Patent, and/or has actively induced and continues to actively induce others to infringe the '097 Patent, literally and/or under the doctrine of equivalents, in this district and elsewhere in the United States.

**COUNT XVI****(Patent Infringement of U.S. Patent No. 6,304,937  
Under 35 U.S.C. § 271, et. seq.)**

63. Rambus incorporates by reference and realleges paragraphs 1 through 62 above as though fully restated herein.

64. Upon information and belief, Defendant (1) has infringed and continues to infringe the '937 Patent, literally and/or under the doctrine of equivalents, by making, using, offering to sell, selling, and/or importing, directly and/or through intermediaries, Accused Products consisting of or including at least DDR, DDR2, DDR3, GDDR and/or GDDR3 memory controllers, in this district and elsewhere in the United States, and/or (2) has contributed and continues to contribute to the literal infringement and/or infringement under the doctrine of equivalents of the '937 Patent, and/or has actively induced and continues to actively induce others to infringe the '937 Patent, literally and/or under the doctrine of equivalents, in this district and elsewhere in the United States.

**COUNT XVII**

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

65. Rambus incorporates by reference and realleges paragraphs 1 through 64 above as though fully restated herein.

66. Upon information and belief, Defendant (1) has infringed and continues to infringe the '020 Patent, literally and/or under the doctrine of equivalents, by making, using, offering to sell, selling, and/or importing, directly and/or through intermediaries, Accused Products consisting of or including at least SDR, DDR, DDR2, DDR3, GDDR and/or GDDR3 memory controllers, in this district and elsewhere in the United States, and/or (2) has contributed and continues to contribute to the literal infringement and/or infringement under the doctrine of equivalents of the '020 Patent, and/or has actively induced and continues to actively induce others to infringe the '020 Patent, literally and/or under the doctrine of equivalents, in this district and elsewhere in the United States.

**PRAYER FOR RELIEF**

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

A. An adjudication that NVIDIA has infringed and continues to infringe the Rambus Patents as alleged above;

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

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

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

E. An award of Rambus' 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;

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

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

8 Respectfully submitted,

9  
10 DATED: July 10, 2008

MCKOOL SMITH P.C.  
THE TURNER LAW FIRM

11  
12 By: \_\_\_\_\_  
13 Julie S. Turner

14 Attorneys for Plaintiff  
15 RAMBUS INC.

MCKOOL SMITH P.C.  
300 Crescent Court, Suite 1500  
Dallas, TX 75201



**DEMAND FOR A JURY TRIAL**

Pursuant to the provisions of Rule 38(b) of the Federal Rules of Civil Procedure and in accordance with Civil Local Rule 3-6, Rambus demands a trial by jury of all issues so triable in this matter.

Respectfully submitted,

DATED: July 10, 2008

MCKOOL SMITH P.C.  
THE TURNER LAW FIRM

By: \_\_\_\_\_  
Julie S. Turner

Attorneys for Plaintiff  
RAMBUS INC.

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