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10 UNITED STATES DISTRICT COURT  
11 FOR THE SOUTHERN DISTRICT OF TEXAS  
12 HOUSTON DIVISION

13 JAMES B. GOODMAN,

14 Plaintiff,

15 vs.

16 PROMOS TECHNOLOGIES INC.

17 Defendant.

Civil Action No.

18 **COMPLAINT FOR PATENT  
19 INFRINGEMENT AND DEMAND FOR  
20 JURY TRIAL**

21 NOW COMES Plaintiff, JAMES B. GOODMAN ("Goodman"), through his attorney,  
22 and files this Complaint for Patent Infringement and Demand for Jury Trial against PROMOS  
23 TECHNOLOGIES INC. ("PROMOS").

24 **PARTIES**

- 25 1. Plaintiff Goodman is an individual residing in the State of Texas.  
26 2. Defendant ProMOS Technologies Inc. is a company having headquarters at No.  
27 19 Li Hsin Road, Hsinchu Science Park, Hsinchu, Taiwan, 30078, R.O.C. having  
28 a sales agent in Houston, TX and a Global Sales Office for all of eastern U.S.A. in  
Hopewell Junction, NY.

**JURISDICTION AND VENUE**

3. This is an action for patent infringement of United States Patent No. 6,243,315 (hereinafter “The ‘315 Patent”) pursuant to the laws of the United States of America as set forth in Title 35 Sections 271 and 281 of the United States Code. This court has subject matter jurisdiction over this action pursuant to 28 U.S.C. Sec. 1338(a) and 28 U.S.C. Sec. 1331. Venue is proper in this judicial district under 28 U.S.C. §§ 1391(b), © and 1400(b).
4. On information and belief, the Defendant is subject to this Court’s specific and general personal jurisdiction, pursuant to due process and/or the Texas Long Arm Statute, due to at least its respective business presence in this forum, and its infringing activities in this Federal District.
5. On information and belief from the web site maintained by the Defendant, the Defendant has a sales agent for its product in Houston, TX at Memphis Electronic Inc., 2323 S. Shepherd Drive, STE 910, Houston, TX 77019 which sells the Defendant’s products directly. Memphis Electronics Inc. advertise at least through its own web site to sell, and distributed Defendant’s infringing products, and/or have induced the sale and use of infringing products on behalf of the Defendant. In addition, and on information and belief, the Defendant is subject to the Court’s general jurisdiction, including from regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods provided in Texas.
6. Venue is proper in this district because the Defendant has a corporate presence in this forum. It is also noted that the Defendant is a foreign entity so that, in general, venue is proper anywhere in the U.S.A., however, this Federal District is appropriate because of the Defendant’s infringing activities in this Federal District, and Defendant’s sales agent is in this Federal District.

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**SERVICE OF PROCESS**

7. On information and belief partly from the web site maintained by the Defendant, the Defendant maintains a Global Sales Office for the entire eastern portion of U.S.A. at 25 Creekside Road, Hopewell Junction, NY 12533. In view of this corporate presence in the U.S.A., service of process is appropriate for the Defendant at the New York address even though the Defendant is based in Taiwan.

**CAUSES OF ACTION FOR PATENT INFRINGEMENT**

8. On June 5, 2001, the '315 Patent entitled "COMPUTER MEMORY SYSTEM WITH A LOW POWER MODE", was duly and legally issued to James B. Goodman, as the sole patentee.

9. Plaintiff Goodman is the sole owner of the '315 Patent, and has standing to bring this action.

**COUNT ONE**

10. Plaintiff Goodman repeats and incorporates herein the allegations contained in paragraphs 1 through 9 above.

11. Defendant Intel is infringing at least claim 1 of the '315 Patent at the least with its products known in the industry as "Mobile DDR SDRAM" and "Mobile SDRAM". Typically, the infringing products include: 128 Mb Mobile DDR SDRAM, 128 Mb Mobile SDRAM, 256 Mb Mobile DDR SDRAM, and 256 Mb Mobile SDRAM.

**JURY DEMAND**

12. Pursuant to Fed. R. Civ. P. 38, Plaintiff hereby demands a jury trial as to all issues in this lawsuit.

**PRAYER FOR RELIEF**

WHEREFORE, Plaintiff respectfully requests this Court to:

- a. enter judgment for Plaintiff on this Complaint;
- b. order that an accounting be had for the damages caused to the Plaintiff by the infringing activities of the Defendant;
- c. award Plaintiff interest and costs; and
- d. award Plaintiff such other and further relief as this Court may deem just and equitable.

THE PLAINTIFF

JAMES B. GOODMAN

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