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Attorneys for Plaintiff
WACOH COMPANY

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

WACOH COMPANY,

Plaintiff,

v.

INVENSENSE, INC.

Defendant.

CASE NO. 4:12-cv-00530-PJH

**FIRST-AMENDED COMPLAINT AGAINST
INVENSENSE**
Courtroom: B – 15th Floor

Judge: U.S. Dist. Judge Phyllis J. Hamilton

Initial Case Management Conference: June 14, 2012

Trial Date: To Be Determined

Jury Trial Demanded

COMPLAINT

Plaintiff, Wacoh Company (“Wacoh”) files this Complaint against Defendant
InvenSense, Inc. (“InvenSense”) and alleges as follows:

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THE PARTIES

1. Plaintiff Wacoh Company is a corporation organized and existing under the laws of Japan. Wacoh’s principal place of business is Saitama, Japan.
2. InvenSense is a corporation organized under the laws of the state of Delaware, having its principal place of business at 1197 Borregas Ave., Sunnyvale, California 94089. InvenSense properly was served -- and appeared and answered -- before this matter was transferred from the United States District Court for the District of Delaware on January 19, 2012.

JURISDICTION & VENUE

3. This is an action for infringement of a United States patent. Accordingly, this action arises under the patent laws of the United States of America, 35 U.S.C. § 1 et. seq. and jurisdiction is properly based on Title 35 United States Code, particularly § 271, and title 28 United States Code, particularly § 1338(a).
4. Venue is proper in this court under Title 28 United States Code § 1391(b) and 1400(b).

PATENT INFRINGEMENT COUNT

5. On September 4, 2001, United States Patent No. 6,282,956 (“the ‘956 patent”) entitled “Multi-Axial Angular Velocity Sensor” was duly and legally issued. A true and correct copy of the ‘956 patent is attached as **Exhibit A**.
6. On March 15, 2005, United States Patent No. 6,865,943 (“the ‘943 patent”) entitled “Angular Velocity Sensor” was duly and legally issued. A true and correct copy of the ‘943 patent is attached as **Exhibit B**.
7. Pursuant to 35 U.S.C. § 282, the above-listed United States Patents are presumed valid.
8. Kazuhiro Okada is the inventor of the ‘956 and ‘943 patents.

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9. On July 6, 2010, Kazuhiro Okada assigned his entire interest in the ‘956 and ‘943 patents to Wacoh, which is now the sole owner of both patents.
10. InvenSense has infringed and continues to infringe one or more of the claims of the ‘956 and ‘943 patents directly by making, offering to sell, selling, and/or using infringing sensors, including but not limited to the InvenSense ITG-3200 and IDG-650, and any other sensors that are capable of or use the same or similar detection of angular velocity.
11. InvenSense is liable for contributory infringement of the patents-in-suit, by making, selling, importing, and/or offering for sale products – including but not limited to the InvenSense ITG-3200 and IDG-650 – knowing they were, and/or are, being incorporated into products especially made and/or adapted for use by others in an infringement of the patents-in-suit and not suitable for any substantial noninfringing use.
12. InvenSense is also liable for infringement by inducement, because it has sold, and/or presently sells, infringing products to customers and distributors, knowing the products would be, and/or are being, used, sold, offered for sale, and/or imported into the United States, including this District. InvenSense has had knowledge that its accused sensors infringed the ‘956 and ‘943 patents since at least by the time it was served with the Complaints that alleged infringement. InvenSense also is aware that the accused sensors are incorporated into other devices and InvenSense sells the accused sensors for this purpose.
13. InvenSense’s infringement alleged above has injured Wacoh. As a result of InvenSense’s infringement, Wacoh is entitled to recover damages adequate to compensate for the infringement, which in no event can be less than a reasonable royalty.

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Respectfully submitted this 7 August 2012,

/s/ Matthew J. M. Prebeg

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