

UNITED STATES INTERNATIONAL TRADE COMMISSION  
WASHINGTON, D.C.

**In the Matter of**

**CERTAIN INTEGRATED CIRCUITS,  
CHIPSETS, AND PRODUCTS  
CONTAINING SAME INCLUDING  
TELEVISIONS, MEDIA PLAYERS, AND  
CAMERAS**

**Investigation No. 337-TA-\_\_\_\_\_**

**COMPLAINT OF FREESCALE SEMICONDUCTOR, INC.  
UNDER SECTION 337 OF THE TARIFF ACT OF 1930, AS AMENDED**

**COMPLAINANT**

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B	Certified copy of prosecution history of U.S. Patent No. 5,715,014
C	Certified copy of prosecution history of U.S. Patent No. 7,199,306
D	Copies of technical references from prosecution history of U.S. Patent No. 5,467,455
E	Copies of technical references from prosecution history of U.S. Patent No. 5,715,014
F	Copies of technical references from prosecution history of U.S. Patent No. 7,199,306

<b>INDEX OF PHYSICAL EXHIBITS</b>	
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PX-1	Freescale's MPC8536e Processor
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## **I. INTRODUCTION**

1. Complainant Freescale Semiconductor, Inc. ("Freescale" or "Complainant") requests that the United States International Trade Commission ("the Commission") commence an investigation pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 ("Section 337"), based upon the sale for importation, the unlawful importation into the United States, and/or the sale within the United States after importation of certain integrated circuits, chipsets, and products containing same including televisions, media players, media, video cameras, and cameras (hereafter the "Accused Products").

2. The proposed Respondents are Panasonic Corporation; Panasonic Semiconductor Discrete Devices Co. Ltd.; Panasonic Corporation of North America; Funai Corporation, Inc.; Funai Electric Co., Ltd.; JVC Kenwood Holdings, Inc.; Victor Company of Japan, Limited; JVC Americas Corp.; Best Buy Co., Inc.; B & H Foto & Electronics Corp.; Huppins Hi-Fi Photo & Video, Inc.; Buy.com Inc.; Liberty Media Corporation; QVC, Inc.; Crutchfield Corporation; Wal-Mart Stores, Inc.; and Computer Nerds International, Inc. (hereinafter collectively referred to as "Respondents").

3. The Respondents have sold for importation, imported, and/or sold within the United States after importation certain integrated circuits, integrated circuit chipsets, and products containing same including televisions, media players, media, video cameras, and cameras that infringe, induce infringement, and/or contribute to the infringement of one or more of at least claims 1, 8, 9, 10, 22, and 26 of United States Patent No. 5,467,455 ("the Gay patent" or "the '455 patent"); claims 1 and 10 of United States Patent No. 5,715,014 ("the Perkins patent" or "the '014 patent"); and/or claims 1, 6, 11, 13, 14, 15, and 16 of United States Patent No. 7,199,306 ("the Owens patent" or "the '306 patent") (collectively, "the Asserted Patents").

4. Complainant seeks as relief a permanent exclusion order barring from entry into the United States the accused integrated circuits, chipsets, and products containing same, including, *inter alia* and without limitation, chips, chipsets, and products containing same including televisions, media players, media, video cameras, and cameras. Complainant seeks as further relief permanent cease and desist orders preventing Respondents from all commercial activities concerning infringing imported goods.

## **II. COMPLAINANT FREESCALE**

5. Complainant Freescale is a Delaware corporation with its headquarters located at 6501 William Cannon Drive West, Austin, Texas. Freescale was formed in 2004 as a result of the divestiture of the Semiconductor Products Sector of Motorola, Inc. Freescale employs more than 19,000 people in more than 30 countries including more than 6,000 in the United States. Freescale maintains major design, research and development, and support centers in Austin, Texas; Lake Zurich, Illinois; and Phoenix, Arizona. It operates numerous wafer fabrication facilities worldwide including three in the United States. Two of these United States facilities are located in Austin, Texas and the remaining facility is in Chandler, Arizona.

6. Freescale enjoyed 2008 revenues of \$5.2 billion of which over a billion dollars was invested in research and development. Freescale is the successor-in-interest and assignee of Motorola's semiconductor-related patent portfolio. As a result of Freescale's and its predecessor's vigorous investment in research and development, it owns a portfolio of patents consisting of over 6,200 patent families.

7. Freescale's power management solutions, microprocessors, microcontrollers, sensors, radio frequency semiconductors, analog and mixed signal circuits, and software are embedded in products used around the world including automobiles, media players, washers,

dryers and networking infrastructures. Freescale has more than 10,000 customers including 100 of the world's top Original Equipment Manufacturers. Freescale's advanced technology and broad employment base make it an important component of the domestic technology economy.

### **III. THE TECHNOLOGIES AND PRODUCTS AT ISSUE**

8. An integrated circuit is a miniaturized electronic circuit that has been manufactured on the surface of a substrate of semiconductor material. Integrated circuits are typically packaged in a polymer encapsulant to prevent physical damage or corrosion.

9. The Asserted Patents cover two separate facets of integrated circuit technology: circuitry and packaging, and one facet of television technology.

10. As outlined in the previous section, the Accused Products are (1) Panasonic integrated circuits that incorporate Freescale's patented circuit technology or were packaged using Freescale's patented methods; (2) Chipsets and end-products, such as at least televisions, media (*e.g.*, memory cards), video cameras, cameras, and media players, containing infringing integrated circuits; and/or (3) Televisions employing Freescale's patented television technology.

11. On information and belief, infringing integrated circuits, chipsets, and products containing same are sold for importation, imported, and/or sold after importation into the United States by the Respondents and/or their agents.

12. Although the Freescale patented technologies may be used in a wide variety of applications, the Proposed Respondents' products believed to infringe include at least televisions, media, video cameras, cameras, and media players, such as Blu-ray players. Discovery may reveal the use of these technologies in other Proposed Respondents' products.

#### **IV. THE ASSERTED PATENTS**

13. The Asserted Patents at issue are United States Patent No. 5,467,455, entitled "Data Processing System and Method for Performing Dynamic Bus Termination" (a certified copy of the '455 patent is attached as Exhibit 1); United States Patent No. 5,715,014, entitled "Circuit and Method of Providing Parental Discretionary Control on a PIP IC" (a certified copy of the '014 patent is attached as Exhibit 2); and United States Patent No. 7,199,306 entitled "Multi-Strand Substrate for Ball-Grid Array Assemblies and Method" (a certified copy of the '306 patent is attached as Exhibit 3). Certified copies of the prosecution histories are included in Appendices A–C, respectively. The technical references identified in the prosecution history of the '455 patent are included in Appendix D. The technical references identified in the prosecution history of the '014 patent are included in Appendix E. The technical references identified in the prosecution history of the '306 patent are included in Appendix F.

##### **A. United States Patent No. 5,467,455**

###### **1. Identification of the Patent and Ownership by Freescale**

14. The '455 patent was issued on November 14, 1995, based upon United States Patent Application No. 08/145,117, filed on November 3, 1993.

15. Freescale owns by assignment the entire right, title and interest in the '455 patent. Freescale obtained all right, title and interest in the '455 patent by assignment from Motorola, Inc. executed on April 4, 2004, and recorded on May 7, 2004 (attached as Exhibit 4). Motorola, Inc. had obtained all right, title and interest from the inventors James G. Gay and William B. Ledbetter, Jr. by assignments executed on October 29, 1993, and recorded on November 3, 1993 (attached as Exhibit 4). Freescale provided Citibank, N.A. a security interest in the '455 patent as Collateral Agent, executed on December 1, 2006, and recorded on February 2, 2007 (attached

as Exhibit 4). Freescale provided another security interest to Citibank, N.A. on February 19, 2010 (attached as Exhibit 67C). It is in the process of being recorded.

16. Certified copies of the assignments for the '455 patent are attached as Exhibit 4.

17. Freescale asserts claims 1, 8, 9, 10, 22, and 26 of the '455 patent.

## **2. Nontechnical Description of the '455 Patent**

18. The '455 patent describes circuitry designed to reduce unwanted signal reflection on a communication bus between two integrated circuits. Among other things, the system and method described in the '455 patent permits disabling the termination circuitry on one of the integrated circuits when data is not being received from the communication bus. The selective enabling and disabling of the termination circuitry allows the system to reduce unwanted signal reflection, which also typically conserves power.

## **3. Foreign Counterparts to the '455 Patent**

19. The following is a list of all foreign counterparts to the '455 patent:

<b>Country</b>	<b>Application No.</b>	<b>Patent No.</b>	<b>Status</b>
Japan	6-287206	4230545	Granted

To the best of Freescale's knowledge, information and belief, there are no other foreign counterpart patents or patent applications to the '455 patent issued, filed, withdrawn, or abandoned.

## **4. Licenses**

20. The identities of all parties with a license to or a covenant-not-to-assert the '455 patent are set forth in the Declaration of Lee Chastain attached as Confidential Exhibit 7C. A copy of each agreement that may relate to the Asserted Patents is provided within Confidential Exhibits 100C – 138C. To the best of Freescale's knowledge, information and belief, there are no other licenses to or covenants-not-to-assert the '455 patent.

**B. United States Patent No. 5,715,014**

**1. Identification of the Patent and Ownership by Freescale**

21. The '014 patent was issued on February 3, 1998, based upon United States Patent Application No. 08/707,116, filed on September 3, 1996.

22. Freescale owns by assignment the entire right, title and interest in the '014 patent. Freescale obtained all right, title and interest in the '014 patent by assignment from Motorola, Inc. executed on April 4, 2004, and recorded on May 7, 2004 (attached as Exhibit 5). Motorola, Inc. obtained all right, title and interest from the inventors. The assignments from the inventors to Motorola were executed as follows: August 23, 1996 for Geoffrey Perkins and August 27, 1996 for Robert DeFrancesco and Paul Tighe. The inventors' assignments were recorded on September 3, 1996 (attached as Exhibit 5). Freescale provided Citibank, N.A. a security interest in the '014 patent as Collateral Agent, executed on December 1, 2006, and recorded on February 2, 2007 (attached as Exhibit 5). Freescale provided another security interest to Citibank, N.A. on February 19, 2010 (attached as Exhibit 67C). It is in the process of being recorded.

23. Certified copies of the assignments for the '014 patent are attached as Exhibit 5.

24. Freescale asserts claims 1 and 10 of the '014 patent.

**2. Nontechnical Description of the '014 Patent**

25. The '014 patent discloses providing a picture-in-picture ("PIP") video channel on a television or other display device that is subject to discretionary control during viewing. If the channel selected for PIP display contains content, such as a television program, that is above a threshold, such as a rating, allowed for current viewing, the PIP channel is not displayed; if the channel selected for PIP display contains content below a threshold allowed for current viewing, the PIP channel is displayed.

### **3. Foreign Counterparts to the '014 Patent**

26. To the best of Freescale's knowledge, information and belief, there are no foreign counterpart patents or patent applications to the '014 patent issued, filed, withdrawn, or abandoned.

### **4. Licenses**

27. The identities of all parties with a license to or a covenant-not-to-assert the '014 patent are set forth in the Declaration of Lee Chastain attached as Confidential Exhibit 7C. A copy of each agreement that may relate to the Asserted Patents is provided within Confidential Exhibits 100C – 138C. To the best of Freescale's knowledge, information and belief, there are no other licenses to or covenants-not-to-assert the '014 patent.

#### **C. United States Patent No. 7,199,306**

##### **1. Identification of the Patent and Ownership by Freescale**

28. The '306 patent was issued on April 3, 2007, based upon United States Patent Application No. 10/741,065, filed on December 19, 2003. The '306 patent was a continuation of U.S. Patent Application No. 10/255,257, filed on September 26, 2002, now U.S. Patent No. 6,710,265, which was a continuation of U.S. Patent Application No. 08/349,281, which was filed on December 5, 1994, now U.S. Patent No. 6,465,743.

29. Freescale owns by assignment the entire right, title and interest in the '306 patent. Freescale obtained all right, title and interest in the '306 patent by assignment from Motorola, Inc. executed on April 4, 2004, and recorded on May 7, 2004 (attached as Exhibit 6). Motorola, Inc. obtained all right, title and interest from the inventor Norman Lee Owens by the assignment executed on November 29, 2001 and recorded that same day (attached as Exhibit 6). Freescale provided Citibank, N.A. a security interest in the '306 patent as Collateral Agent, executed on December 1, 2006, and recorded on February 2, 2007 (attached as Exhibit 6). Freescale



provided another security interest to Citibank, N.A. on February 19, 2010 (attached as Exhibit 67C). It is in the process of being recorded.

30. Certified copies of the assignments for the '306 patent are attached as Exhibit 6.

31. Freescale asserts claims 1, 6, 11, 13, 14, 15, and 16 of the '306 patent.

## **2. Nontechnical Description of the '306 Patent**

32. The '306 patent relates to a method for assembling a package for an integrated circuit that physically protects the integrated circuit, and mechanically and electrically connects the integrated circuit to a larger system. Several packages are formed as a group by attaching multiple integrated circuit die in a two-dimensional array onto a printed circuit board (substrate). The die are subsequently encapsulated and then divided into individual packaged devices, typically by sawing through the encapsulant and printed circuit board. Certain dimensions of the array are selected to maintain the planarity of the packaged device. Among the dimensions identified in the '306 patent are the thickness of the substrate and the number of devices in each row and column of the array.

## **3. Foreign Counterparts to the '306 Patent**

33. The following is a list of all foreign counterparts to the '306 patent:

<b>Country</b>	<b>Application No.</b>	<b>Patent No.</b>	<b>Status</b>
China	95120270.7	ZL95120270.7	Granted
Japan	7-326277	3493088	Granted
South Korea	95-38366	400949	Granted
Malaysia	PI9503612	MY-119990-A	Granted
Taiwan	84111039	NO-78800	Granted

To the best of Freescale's knowledge, information and belief, there are no other foreign counterpart patents or patent applications to the '306 patent issued, filed, withdrawn, or abandoned.

#### **4. Licenses**

34. The identities of all parties with a license to or a covenant-not-to-assert the '306 patent are set forth in the Declaration of Lee Chastain attached as Confidential Exhibit 7C. A copy of each agreement that may relate to the Asserted Patents is provided within Confidential Exhibits 100C – 138C. To the best of Freescale's knowledge, information and belief, there are no other licenses to or covenants-not-to-assert the '306 patent.

#### **V. PROPOSED RESPONDENTS AND PROOF OF IMPORTATION**

##### **A. Manufacturer Respondents**

##### **1. Proposed Respondents Panasonic Corporation, Panasonic Semiconductor Discrete Devices, and Panasonic Corporation of North America**

35. On information and belief, Proposed Respondent Panasonic Corporation is a corporation organized under the laws of Japan, and maintains its principal place of business in Kadoma, Osaka, Japan. On information and belief, Respondent Panasonic Corporation is the world wide parent corporation for the other Panasonic entities, and responsible either directly or indirectly through subsidiaries for Panasonic's infringing activities.

36. On information and belief, Proposed Respondent Panasonic Semiconductor Discrete Devices Co. Ltd. is a corporation organized under the laws of Japan and maintains its principal place of business at 8-1, Minamihirocho, Umezu, Ukyo-Ku615-0901 Kyoto, Kyoto Japan. On information and belief, Respondent Panasonic Semiconductor Discrete Devices Co. Ltd. is a subsidiary of Respondent Panasonic Corporation and manufactures, sells for importation, and/or imports Accused Products.

37. On information and belief, Proposed Respondent Panasonic Corporation of North America is a corporation organized under the laws of Delaware and maintains its principal place

of business at 1 Panasonic Way, Secaucus, New Jersey 07094. On information and belief, Respondent Panasonic Corporation of North America, a subsidiary of Respondent Panasonic Corporation, imports and/or sells after importation Accused Products.

38. A true and correct copy of a Dun and Bradstreet report for Panasonic Corporation; Panasonic Semiconductor Discrete Devices Co. Ltd.; and Panasonic Corporation of North America is attached as Exhibit 8.

39. Proposed Respondents Panasonic Corporation, Panasonic Semiconductor Discrete Devices Co. Ltd., and Panasonic Corporation of North America are hereinafter collectively referred to as "Panasonic."

40. On information and belief, Panasonic designs, manufactures, sells for importation, imports, and/or sells after importation integrated circuits, chipsets, and products containing same, including televisions, media players, media, video cameras, and cameras (*See Exhibits 9-23*).

41. Panasonic was previously licensed to the Asserted Patents. Panasonic's license agreement for Freescale's patented technologies expired on December 31, 2006. Panasonic has been unwilling to renew its license.

42. As such, Panasonic no longer has a license to utilize Freescale's patented technology to design, manufacture, sell for importation, import, and/or sell after importation infringing integrated circuits, chipsets, or products containing same, and Panasonic is not paying a royalty to Freescale.

**a. Panasonic Accused Products**

43. Panasonic Accused Products include integrated circuits, chipsets, and products containing same including televisions, media players, video cameras, cameras, and media.

44. Examples of Panasonic Accused Products include the following:

a. Integrated Circuits:

The following integrated circuits are used at least in televisions, blu-ray players, video cameras, cameras, or media (e.g., memory cards) - MN2WS0047, MN2WS0053, MN84527, MN2WS6AFF, 2WS0044, BC98FPB, MN101C98F, 95009B; MN2PS0001SP1, ZSFDORTB1, MN103SFDOR, MN103SDOQMA, MN103SDOQGF, MN103SDQGA, MN2WS44AFF, MN2WS0043AP1, MN2WS0043DA, MN2WS61AFF, MN2WS62AFF, MN103SC10ERF, MN89520RF.

b. Chipsets:

The following chipsets are used at least in televisions or blu-ray players - MN2WS0047 with DDR2 chipset, MN2WS0053 with DDR2 chipset, MN84527 with DDR2 chipset, MN2WS6AFF with DDR2 chipset, 2WS0044 with DDR2 chipset, MN2WS44AFF with DDR2 chipset, MN2WS0043AP1 with DDR2 chipset, MN2WS0043DA with DDR2 chipset, MN2WS61AFF with DDR2 chipset, MN2WS62AFF with DDR2 chipset.

c. Televisions:

TH-50PZ85U Plasma television, TC-P50G10 Plasma television, TC-P46G10 Plasma television, TC-P50V10 Plasma television.

d. Media Players:

DMP-BD60 and 60K Blu-ray players, DMP-BD-35K Blu-ray player; SC-BT100 Blu-ray home theater system, SC-BT300 Blu-ray home theater system.

e. Cameras and Video Cameras:

HDC-100 video camera, HDC-HS250 video camera, HDC-HS300K video camera, DMC-ZS3K digital camera.

f. Media:

RPSS01GB1K 1GB SD memory card, RPSDP04GU1K 4GB SD memory card.

45. Panasonic Accused Products also include any Panasonic integrated circuits that (1) interface with DDR/2/3 and/or GDDR2/3/4/5 memories, (2) have dynamic termination circuitry, and/or (3) products containing the same (hereafter the "Accused '455 Products").

46. Panasonic Accused Products also include any televisions or other video displays that use Picture in Picture functionality, such as those products having VieraCast functionality, including but not limited to the following models: TH-65PZ850U; TC-P54Z1; TC-P65V10; TH-58PZ850U; TH-50PZ850U; TH-46PZ850U; TC-P50V10; TC-P58V10; TC-P54V10; TC-P54G10; TC-P50G15; TC-P50G10; TC-P46G15; TC-P46G10; TC-P42G15; and TC-P42G10 (hereafter the "Accused '014 Products").

47. Panasonic Accused Products also include any Panasonic integrated circuits that are packaged using Freescale's patented packaging technology. These Accused Products have a Mold Array Process Ball Grid Array ("MAPBGA") package (also known as at least as an "MBGA" package, Thin Fine Pitch BGA ("TFBGA") package, Chip Scale package ("CSP"), Thin BGA package ("TBGA"), Chip Array BGA ("CABGA") package, or Fine Pitch BGA ("FBGA") package) that has that has been sawn on two or more adjacent sides and meets certain planarity requirements and any products containing same (hereafter the "Accused '306 Products").

**b. Proof of Importation**

48. Between July 2008 and December 2009, a Freescale representative purchased several imported Panasonic Accused products from various retailers in the United States.

49. On December 21, 2009, a Freescale representative within the United States purchased a Panasonic TC-P50G10 Plasma television from Proposed Respondent B & H Photo. Exhibit 10 contains a sales receipt for the TC-P50G10. The unit shown in Exhibit 10 bears a country of origin marking of Mexico.

50. On February 5, 2009, a Freescale representative within the United States purchased a Panasonic DMP-BD35K Blu-ray disc player. Exhibit 11 contains a sales receipt for the DMP-BD35K and photographs taken of the unit. The unit shown in Exhibit 11 bears a country of origin marking of China.

51. On December 21, 2009, a Freescale representative within the United States purchased a Panasonic DMP-BD60 Blu-ray disc player from Proposed Respondent Crutchfield. Exhibit 12 contains a sales receipt for the DMP-BD60K. The unit shown in Exhibit 12 bears a country of origin marking of China.

52. On January 8, 2009, a Freescale representative within the United States purchased a Panasonic HDC-HS100K video camera. Exhibit 13 contains a sales receipt for the HDC-HS100K. The unit shown in Exhibit 13 bears a country of origin marking of Japan.

53. On December 28, 2009, a Freescale representative within the United States purchased a Panasonic HDC-HS250 video camera from Proposed Respondent Buy.com. Exhibit 14 contains a sales receipt for the HDC-HS250. The unit shown in Exhibit 14 bears a country of origin marking of Japan.

54. On December 28, 2009, a Freescale representative within the United States purchased a Panasonic RPSDP04GU1K memory card from Proposed Respondent TheNerds.net. Exhibit 15 contains a sales receipt for the RPSDP04GU1K. The unit shown in Exhibit 15 bears a country of origin marking of Japan.

55. On January 7, 2009, a Freescale representative within the United States purchased a Panasonic SC-BT100 Blu-ray DVD Home Theater System from Proposed Respondent Crutchfield. Exhibit 16 contains a sales receipt for the SC-BT100. The unit shown in Exhibit 16 bears a country of origin marking of Singapore.

56. On December 21, 2009, a Freescale representative within the United States purchased a Panasonic TC-P50V10 Plasma television from Proposed Respondent Best Buy. Exhibit 17 contains a sales receipt for the TC-P50V10. The unit shown in Exhibit 17 bears a country of origin marking of Mexico.

57. On July 21, 2008, a Freescale representative within the United States purchased a Panasonic TH-50PZ85U Plasma television. Exhibit 18 contains a sales receipt for the TH-50PZ85U. The unit shown in Exhibit 18 bears a country of origin marking of Mexico.

58. On June 18, 2009, a Freescale representative within the United States purchased a Panasonic RP-SS01GBU1K memory card from Proposed Respondent Crutchfield. Exhibit 19 contains a sales receipt for the RP-SS01GBU1K. The unit shown in Exhibit 19 bears a country of origin marking of Japan.

59. On December 21, 2009, a Freescale representative within the United States purchased a Panasonic HDC-HS300 video camera from Proposed Respondent QVC. Exhibit 20 contains a receipt for the HDC-HS300. The unit shown in Exhibit 20 bears a country of origin marking of Japan.

60. On December 21, 2009, a Freescale representative within the United States purchased a Panasonic TC-P46G10 Plasma television from Proposed Respondent Onecall.com. Exhibit 21 contains a sales receipt for the TC-P46G10. The unit shown in Exhibit 21 bears a country of origin marking of Mexico.

61. On December 29, 2009, a Freescale representative within the United States purchased a Panasonic SC-BT300 Blu-ray theater system from Proposed Respondent Onecall.com. Exhibit 22 contains a sales receipt for the SC-BT300. The unit shown in Exhibit 22 bears a country of origin marking of Singapore.

62. On December 29, 2009, a Freescale representative within the United States purchased a Panasonic DMC-ZS3K camera from Proposed Respondent B & H Photo. Exhibit 23 contains a sales receipt for the DMC-ZS3K. The unit shown in Exhibit 23 bears a country of origin marking of Japan.

**2. Proposed Respondents Funai Electric Co., Ltd. and Funai Corporation, Inc.**

63. On information and belief, Proposed Respondent Funai Electric Co., Ltd. is a corporation organized under the laws of Japan, and maintains its principal place of business in Daito, Osaka, Japan. On information and belief, Respondent Funai Electric Co., Ltd. is the world wide parent corporation for other Funai entities, and responsible either directly or indirectly through subsidiaries for Funai's infringing activities.

64. On information and belief, Proposed Respondent Funai Corporation, Inc. is a corporation organized under the laws of New Jersey, and maintains its principal place of business at 201 Route 17, Ste 903, Rutherford, New Jersey 07070. On information and belief, Respondent Funai Corporation, Inc. imports and/or sells after importation Accused Funai Products.

65. A true and correct copy of a Dun and Bradstreet report for Funai Electric Co., Ltd. and Funai Corporation, Inc. is attached as Exhibit 24.

66. Proposed Respondents Funai Corporation, Inc. and Funai Electric Co., Ltd. are herein collectively referred to as "Funai."

67. On information and belief, Funai designs, manufactures, sells for importation, imports, and/or sells after importation products containing Accused Panasonic integrated circuits and chipsets, including televisions and media players. (See Exhibits 26-29).



68. Funai is not licensed to utilize Freescale's patented technology to design, manufacture, sell for importation, import, and/or sell after importation infringing products that use Freescale's patented technologies. Funai is not paying a royalty to Freescale.

**a. Funai Accused Products**

69. On information and belief, Funai Accused Products include products that contain Accused Panasonic integrated circuits and chipsets, including televisions and media players.

70. On information and belief, Funai designs, manufactures, sells for importation, imports, and/or sells after importation products under various other names, including Magnavox, Emerson, Symphonic, and Sylvania. *See Exhibit 25.*

71. Examples of Funai Accused Products include the following:

a. Televisions:

Magnavox 42MD459B/F7, Sylvania LD427SSX.

b. Media Players:

Magnavox NB500MG1F Blu-ray player, Sylvania NB500SL9 Blu-ray player.

72. Funai Accused Products also include any other Funai products that include Panasonic integrated circuits that (1) interface with DDR/2/3 and/or GDDR2/3/4/5 memories, (2) have dynamic termination circuitry, and/or (3) products containing the same (the Accused '455 Products).

**b. Proof of Importation**

73. Between October, 2009 and January, 2010, a Freescale representative within the United States purchased several imported Funai Accused Products from various retailers in the United States.

74. On October 30, 2009, a Freescale representative within the United States purchased a Magnavox 42MD459B/F7 television from Proposed Respondent Buy.com. Exhibit

26 contains a sales receipt for the 42MD459B/F7. The unit shown in Exhibit 26 bears a country of origin marking of China.

75. On October 30, 2009, a Freescale representative within the United States purchased a Sylvania LD427SSX television from Proposed Respondent TheNerds.net. Exhibit 27 contains a sales receipt for the LD427SSX. The unit shown in Exhibit 27 bears a country of origin marking of China.

76. On January 3, 2010, a Freescale representative within the United States purchased a Magnavox NB500MG1F Blu-ray player from Proposed Respondent Wal-Mart. Exhibit 28 contains a sales receipt for the NB500MG1F. The unit shown in Exhibit 28 bears a country of origin marking of China.

77. On January 8, 2010, a Freescale representative within the United States purchased a Sylvania NB500SL9 Blu-ray player from Proposed Respondent Wal-Mart. Exhibit 29 contains a sales receipt for the NB500SL9. The unit shown in Exhibit 29 bears a country of origin marking of China.

**3. Proposed Respondents JVC Kenwood Holdings, Inc.; Victor Company of Japan, Limited; and JVC Americas Corp.**

78. On information and belief, Proposed Respondent JVC Kenwood Holdings, Inc. is a corporation organized under the laws of Japan, and maintains its principal place of business in Yokohama, Kanagawa, Japan. On information and belief, Respondent JVC Kenwood Holdings, Inc. is the world wide parent corporation for other JVC entities and responsible either directly or indirectly through subsidiaries for JVC's infringing activities.

79. On information and belief, Proposed Respondent Victor Company of Japan, Limited is a corporation organized under the laws of Japan, and maintains its principal place of business in Yokohama, Japan. On information and belief, Respondent Victor Company of

Japan, Limited is the subsidiary of Respondent JVC Kenwood Holdings that either itself or through subsidiaries manufactures, sells for importation, and/or imports infringing JVC products.

80. On information and belief, Proposed Respondent JVC Americas Corp. is a corporation organized under the laws of Delaware, and maintains its principal place of business in 1700 Valley Rd Ste 1, Wayne, New Jersey 07470. On information and belief, Respondent JVC Americas Corp imports and/or sells after importation Accused Products.

81. A true and correct copy of a Dun and Bradstreet report for JVC Kenwood Holdings, Inc.; Victor Company of Japan, Limited; and JVC Americas Corp. is attached as Exhibit 30.

82. Proposed Respondents JVC Kenwood Holdings, Inc.; Victor Company of Japan, Limited; and JVC Americas Corp. are herein collectively referred to as "JVC."

83. On information and belief, Proposed Respondent JVC designs, manufactures, sells for importation, imports, and/or sells after importation infringing products containing Accused Panasonic integrated circuits and chipsets, including video cameras, also known as camcorders. (See Exhibits 31-33).

84. JVC is not licensed to utilize Freescale's patented technology to design, manufacture, sell for importation, import, and/or sell after importation infringing products that use Freescale's patented technologies. JVC is not paying a royalty to Freescale.

**a. JVC Accused Products**

85. On information and belief, JVC Accused Products include products containing Accused Panasonic integrated circuits and chipsets, including video cameras.

86. Examples of JVC Accused Products include the following:

a. Video Cameras:

GZ-HD300, GZ-MG630, GZ-MS120.

87. JVC Accused Products also include any other JVC products that contain a Panasonic integrated circuit that has a MAPBGA package (also known as at least as an “MBGA” package, Thin Fine Pitch BGA (“TFBGA”) package, Chip Scale package (“CSP”), Thin BGA package (“TBGA”), Chip Array BGA (“CABGA”) package, or Fine Pitch BGA (“FBGA”) package) that has that has been sawn on two or more adjacent sides and meets certain planarity requirements and any products containing same (Accused '306 Products).

**b. Proof of Importation**

88. Between August and December of 2009, a Freescale representative within the United States purchased several imported JVC products from various retailers in the United States.

89. On August 19, 2009, a Freescale representative within the United States purchased a JVC Everio GZ-HD300 video camera from Proposed Respondent Best Buy. Exhibit 31 contains a receipt for the GZ-HD300. The unit shown in Exhibit 31 bears a country of origin marking of Malaysia.

90. On December 18, 2009, a Freescale representative within the United States purchased a JVC Everio GZ-MS120 video camera from Proposed Respondent Wal-Mart. Exhibit 32 contains a receipt for the GZ-MS120. The unit shown in Exhibit 32 bears a country of origin marking of Malaysia.

91. On December 18, 2009, a Freescale representative within the United States purchased a JVC Everio GZ-MG630 video camera from Proposed Respondent Best Buy. Exhibit 33 contains a receipt for the GZ-MG630. The unit shown in Exhibit 33 bears a country of origin marking of Malaysia.

**B. Retailer Respondents**

**1. Proposed Respondent Best Buy Corp.**

92. On information and belief, Proposed Respondent Best Buy Corp. (herein also "Best Buy") is a Delaware corporation having its principal place of business at 7601 Penn Avenue S, Richfield, Minnesota 55423. A true and correct copy of the Dun and Bradstreet report for Best Buy Corp. is attached as Exhibit 34.

93. On information and belief, Proposed Respondent Best Buy imports and/or sells after importation Panasonic Accused Products and JVC Accused Products, including televisions and video cameras. (See Exhibits 17, 31, 33, 35).

94. Best Buy is not licensed to utilize Freescale's patented technology to import or sell after importation infringing products that use Freescale's patented technologies. Best Buy is not paying a royalty to Freescale.

**a. Best Buy Accused Products**

95. On information and belief, Best Buy Accused Products include products containing Accused Panasonic integrated circuits and chipsets, including televisions and video cameras.

96. Examples of Best Buy Accused Products include the following:

**a. Televisions:**

Panasonic TC-P50G10 Plasma television, Panasonic TC-P50V10 Plasma television. See Exhibit 35.

**b. Video Cameras:**

JVC GZ-HD300 video camera, JVC GZ-MG630 video camera, and JVC GZ-MS120 video camera, Panasonic HDC-HS250 video camera. See Exhibit 35.

97. Best Buy Accused Products also include any other Panasonic, JVC, or Funai Accused Products and products containing same imported or sold after importation by or on behalf of Best Buy.

**b. Proof of Importation**

98. Between August and December of 2009, a Freescale representative within the United States purchased several imported Panasonic and JVC Accused Products from Respondent Best Buy in the United States.

99. On August 19, 2009, a Freescale representative within the United States purchased a JVC Everio GZ-HD300 video camera from Proposed Respondent Best Buy. Exhibit 31 contains a receipt for the GZ-HD300. The unit shown in Exhibit 31 bears a country of origin marking of Malaysia.

100. On December 18, 2009, a Freescale representative within the United States purchased a JVC Everio GZ-MG630 video camera from Proposed Respondent Best Buy. Exhibit 33 contains a receipt for the GZ-MG630. The unit shown in Exhibit 33 bears a country of origin marking of Malaysia.

101. On December 21, 2009, a Freescale representative within the United States purchased a Panasonic TC-P50V10 Plasma television from Proposed Respondent Best Buy. Exhibit 17 contains a sales receipt for the TC-P50V10. The unit shown in Exhibit 17 bears a country of origin marking of Mexico.

**2. Proposed Respondent Wal-Mart Stores, Inc.**

102. On information and belief, Proposed Respondent Wal-Mart Stores, Inc. (herein also "Wal-Mart") is a Delaware corporation having its principal place of business at 708 SW 8<sup>th</sup> Street, Bentonville, Arkansas 72716. A true and correct copy of the Dun and Bradstreet report for Wal-Mart Stores, Inc. is attached as Exhibit 36.

103. On information and belief, Proposed Respondent Wal-Mart imports and/or sells after importation Panasonic Accused Products, Funai Accused Products, and JVC Accused Products, including media players and video cameras. (See Exhibits 29, 32, 37).

104. Wal-Mart is not licensed to utilize Freescale's patented technology to import or sell after importation infringing products that use Freescale's patented technologies. Wal-Mart is not paying a royalty to Freescale.

**a. Wal-Mart Accused Products**

105. On information and belief, Wal-Mart Accused Products include products containing Accused Panasonic integrated circuits and chipsets such as video cameras and media players.

106. Examples of Wal-Mart Accused Products include the following:

a. Video Cameras:

JVC GZ-MG630 video camera, JVC GZ-MS120 video camera. (See Exhibit 37).

b. Media Players:

Panasonic DMP-BD60 Blu-ray player, Magnavox NB500MG1F Blu-ray player, Sylvania NB500SL9 Blu-ray player. (See Exhibit 37).

107. Wal-Mart Accused Products also include any other Panasonic, JVC, or Funai Accused Products and products containing same imported or sold after importation by or on behalf of Wal-Mart.

**b. Proof of Importation**

108. Between December, 2009 and January, 2010, a Freescale representative within the United States purchased several imported Panasonic, Funai, and JVC Accused Products from Respondent Wal-Mart in the United States.

109. On December 18, 2009, a Freescale representative within the United States purchased a JVC Everio GZ-MS120 video camera from Proposed Respondent Wal-Mart. Exhibit 32 contains a receipt for the GZ-MS120. The unit shown in Exhibit 32 bears a country of origin marking of Malaysia.

110. Around January 3, 2010, a Freescale representative within the United States purchased a Magnavox NB500MG1F Blu-ray player from Proposed Respondent Wal-Mart. Exhibit 28 contains a sales receipt for the NB500MG1F. The unit shown in Exhibit 29 bears a country of origin marking of China.

111. On January 8, 2010, a Freescale representative within the United States purchased a Sylvania NB500SL9 Blu-ray player from Proposed Respondent Wal-Mart. Exhibit 29 contains a sales receipt for the NB500SL9. The unit shown in Exhibit 29 bears a country of origin marking of China.

### **3. Proposed Respondents QVC, Inc. and Liberty Media Corporation**

112. On information and belief, Proposed Respondent QVC, Inc. is a Delaware corporation having its principal place of business at 1200 Wilson Drive, West Chester, Pennsylvania 19380. On information and belief, Proposed Respondent Liberty Media Corporation is a Delaware corporation having its principal place of business at 12300 Liberty Blvd, Englewood, Colorado 80112. On information and belief, Proposed Respondent QVC, Inc. is a subsidiary of Proposed Respondent Liberty Media Corporation. A true and correct copy of a Dun and Bradstreet report for QVC, Inc. and Liberty Media Corporation is attached as Exhibit 38. Proposed Respondents QVC, Inc. and Liberty Media Corporation are herein also collectively referred to as "QVC."



113. On information and belief, Proposed Respondent QVC imports or sells after importation Panasonic Accused Products, Funai Accused Products, and JVC Accused Products, including televisions, media players and video cameras. (See Exhibits 20, 39).

114. QVC is not licensed to utilize Freescale's patented technology to import or sell after importation infringing products that use Freescale's patented technologies. QVC is not paying a royalty to Freescale.

**a. QVC Accused Products**

115. On information and belief, QVC Accused Products include products containing Accused Panasonic integrated circuits and chipsets, such as televisions, video cameras and media players.

116. Examples of QVC Accused Products include the following:

a. Televisions:

Panasonic TC-P50G10 Plasma television, Panasonic TC-P46G10 Plasma television, Magnavox 42MD459B/F7 television, Sylvania LD427SSX television. (See Exhibit 39).

b. Video Cameras:

JVC GZ-MS120 video camera, Panasonic HDC-HS300 video camera. (See Exhibit 39).

c. Media Players:

Panasonic DMP-BD60 Blu-ray player. (See Exhibit 39).

117. QVC Accused Products also include any other Panasonic, JVC, or Funai Accused Products and products containing same imported or sold after importation by or on behalf of QVC.

**b. Proof of Importation**

118. During December of 2009, a Freescale representative within the United States purchased an imported Panasonic Accused Product from Respondent QVC in the United States.

119. On December 21, 2009, a Freescale representative within the United States purchased a Panasonic HDC-HS300 video camera from Proposed Respondent QVC. Exhibit 20 contains a receipt for the HDC-HS300. The unit shown in Exhibit 20 bears a country of origin marking of Japan.

**4. Proposed Respondent Crutchfield Corporation**

120. On information and belief, Proposed Respondent Crutchfield Corporation (herein also "Crutchfield") is a Virginia corporation having its principal place of business at 1 Crutchfield Park, Charlottesville, Virginia 22911. A true and correct copy of the Dun and Bradstreet report for Crutchfield Corporation is attached as Exhibit 40.

121. On information and belief, Respondent Crutchfield imports and/or sells after importation Panasonic Accused Products, including televisions, media players, media, and video cameras. (See Exhibits 12, 16, 19, 41).

122. Crutchfield is not licensed to utilize Freescale's patented technology to import or sell after importation infringing products that use Freescale's patented technologies. Crutchfield is not paying a royalty to Freescale.

**a. Crutchfield Accused Products**

123. On information and belief, Crutchfield Accused Products include products containing Accused Panasonic integrated circuits and chipsets, such as televisions, video cameras, media, and media players.

124. Examples of Crutchfield Accused Products include the following:

**a. Televisions:**

Panasonic TC-P50G10 Plasma television, Panasonic TC-P46G10 Plasma television. (See Exhibit 41).

**b. Video Cameras:**

Panasonic HDC-HS250 video camera. (See Exhibit 41).

c. Media Players:

Panasonic DMP-BD60K Blu-ray player, Panasonic SC-BT100 Blu-ray home theater, Panasonic SC-BT300 Blu-ray home theater. (See Exhibits 12, 16, 41).

d. Media:

Panasonic RPSS01GB1K SD card. (See Exhibit 19).

Crutchfield Accused Products also include any other Panasonic, JVC, or Funai Accused Products and products containing same imported or sold after importation by or on behalf of Crutchfield.

**b. Proof of Importation**

125. Between January and December of 2009, a Freescale representative within the United States purchased several imported Panasonic Accused Products from Respondent Crutchfield in the United States.

126. On December 21, 2009, a Freescale representative within the United States purchased a Panasonic DMP-BD60 Blu-ray disc player from Proposed Respondent Crutchfield. Exhibit 12 contains a sales receipt for the DMP-BD60K. The unit shown in Exhibit 12 bears a country of origin marking of China.

127. On June 18, 2009, a Freescale representative within the United States purchased a Panasonic RPSS01GBU1K SD Card from Proposed Respondent Crutchfield. Exhibit 19 contains a sales receipt for the RPSS01GBU1K. The unit shown in Exhibit 19 bears a country of origin marking of Japan.

128. On January 7, 2009, a Freescale representative within the United States purchased a Panasonic SC-BT100 Blu-ray home theater system from Proposed Respondent Crutchfield.

Exhibit 16 contains a sales receipt for the SC-BT100. The unit shown in Exhibit 16 bears a country of origin marking of Singapore.

**5. Proposed Respondent Huppins Hi-Fi, Photo & Video, Inc. d/b/a Onecall.com**

129. On information and belief, Proposed Respondent Huppins Hi-Fi, Photo & Video, Inc. is a Washington corporation having its principal place of business at 421 W. Main Avenue, Spokane, Washington 99201. A true and correct copy of the Dun and Bradstreet report for Huppins Hi-Fi, Photo & Video, Inc. is attached as Exhibit 42.

130. On information and belief, Huppins Hi-Fi, Photo & Video, Inc. does business under the name "Onecall.com."

131. Herein Respondent Huppins Hi-Fi, Photo & Video, Inc. and Onecall.com are referred to collectively as "Onecall.com."

132. On information and belief, Proposed Respondent Onecall.com imports and/or sells after importation Panasonic Accused Products, including televisions and media players. (See Exhibits 21-22, 43).

133. Onecall.com is not licensed to utilize Freescale's patented technology to import or sell after importation infringing products that use Freescale's patented technologies. Onecall.com is not paying a royalty to Freescale.

**a. Onecall.com Accused Products**

134. On information and belief, Onecall.com Accused Products include products containing Accused Panasonic integrated circuits and chipsets, such as televisions and media players.

135. Examples of Onecall.com Accused Products include the following:

a. Televisions:

Panasonic TC-P50G10 Plasma television, Panasonic TC-P46G10 Plasma television. (See Exhibits 21, 43).

b. Media Players:

Panasonic DMP-BD60 Blu-ray player, Panasonic SC-BT300 Blu-ray home theater. (See Exhibits 22, 43).

Onecall.com Accused Products also include any other Panasonic, JVC, or Funai Accused Products and products containing same imported or sold after importation by or on behalf of Onecall.com.

**b. Proof of Importation**

136. During December of 2009, a Freescale representative within the United States purchased several imported Panasonic Accused Products from Respondent Onecall.com in the United States.

137. On December 21, 2009, a Freescale representative within the United States purchased a Panasonic TC-P46G10 Plasma television from Proposed Respondent Onecall.com. Exhibit 21 contains a sales receipt for the TC-P46G10. The unit shown in Exhibit 21 bears a country of origin marking of Mexico.

138. On December 29, 2009, a Freescale representative within the United States purchased a Panasonic SC-BT300 Blu-ray theater system from Proposed Respondent Onecall.com. Exhibit 22 contains a sales receipt for the SC-BT300. The unit shown in Exhibit 22 bears a country of origin marking of Singapore.

**6. Proposed Respondent B & H Foto & Electronics Corp.**

139. On information and belief, Proposed Respondent B & H Foto and Electronics Corp. is a New York corporation having its principal place of business at 420 9<sup>th</sup> Avenue, New

York, New York 10001. A true and correct copy of the Dun and Bradstreet report for B & H Photo is attached as Exhibit 44.

140. On information and belief, B & H Foto and Electronics Corp. does business under the name "B&H Photo Video."

141. Herein Proposed Respondents B & H Foto Electronics Corp. and B & H Photo Video are referred to as "B & H Photo."

142. On information and belief, Proposed Respondent B & H Photo imports and/or sells after importation Panasonic and JVC Accused Products, including televisions, media, media players, and cameras. (See Exhibits 10, 23, 45).

143. B & H Photo is not licensed to utilize Freescale's patented technology to import or sell after importation infringing products that use Freescale's patented technologies. B & H Photo is not paying a royalty to Freescale.

**a. B & H Photo Accused Products**

144. On information and belief, B & H Photo Accused Products include products including Panasonic integrated circuits and chipsets, such as televisions, media, media players, video cameras, and cameras.

145. Examples of B & H Photo Accused Products include the following:

a. Televisions:

Panasonic TC-P50G10 Plasma television, Panasonic TC-P46G10 Plasma television. (See Exhibits 10, 45).

b. Media:

Panasonic RPSCP04GU1K SD card. (See Exhibit 45).

c. Cameras and Video Cameras:

Panasonic HDC-HS250 video camera, Panasonic HDC-HS300 video camera; JVC GZ-MG630 video camera; JVC GZ-MS120 video camera, Panasonic DMC-ZS3K camera. (See Exhibits 23, 45).

d. Media Players:

Panasonic DMP-BD60 Blu-ray player, Panasonic SC-BT300 Blu-ray home theater. (See Exhibit 45).

146. B & H Photo Accused Products also include any other Panasonic, JVC, or Funai Accused Products and products containing same imported or sold after importation by or on behalf of B & H Photo.

**b. Proof of Importation**

147. During December of 2009, a Freescale representative within the United States purchased several imported Panasonic Accused Products from Respondent B & H Photo in the United States.

148. On December 22, 2009, a Freescale representative within the United States purchased a Panasonic TC-P50G10 Plasma television from Proposed Respondent B & H Photo. Exhibit 10 contains a sales receipt for the TC-P50G10. The unit shown in Exhibit 10 bears a country of origin marking of Mexico.

149. On December 29, 2009, a Freescale representative within the United States purchased a Panasonic DMC-ZS3K camera from Proposed Respondent B & H Photo. Exhibit 23 contains a sales receipt for the DMC-ZS3K. The unit shown in Exhibit 23 bears a country of origin marking of Japan.

**7. Proposed Respondent Buy.com Inc.**

150. On information and belief, Proposed Respondent Buy.com Inc. (herein also "Buy.com") is a Delaware corporation having its principal place of business at 85 Enterprise,

Aliso Viejo, California 92656. A true and correct copy of a California Secretary of State report for Buy.com is attached as Exhibit 46.

151. On information and belief, Respondent Buy.com sells after importation Panasonic Accused Products, Funai Accused Products, and JVC Accused Products, including televisions, media, media players and video cameras. (See Exhibits 14, 26, 47).

152. Buy.com is not licensed to utilize Freescale's patented technology to import or sell after importation infringing products that use Freescale's patented technologies. Buy.com is not paying a royalty to Freescale

**a. Buy.com Accused Products**

153. On information and belief, Buy.com Accused Products include products containing Accused Panasonic integrated circuits and chipsets, such as televisions, media, video cameras and media players.

154. Examples of Buy.com Accused Products include the following:

a. Televisions:

Panasonic TC-P50G10 Plasma television, Panasonic TC-P50V10 Plasma television, Magnavox 42MD459B/F7 television, Sylvania LD427SSX television. (See Exhibit 47).

b. Video Cameras:

JVC GZ-MG630 video camera, Panasonic HDC-HS250 video camera. (See Exhibit 47).

c. Media Players:

Panasonic DMP-BD60 Blu-ray player, Panasonic DMP-BD35K. (See Exhibit 47).

d. Media:

Panasonic RPSDP04GU1K SD Card. (See Exhibit 47).

155. Buy.com Accused Products also include any other Panasonic, JVC, or Funai Accused Products and products containing same imported or sold by or on behalf of Buy.com.



**b. Proof of Importation**

156. Between October and December of 2009, a Freescale representative within the United States purchased several imported Panasonic and Funai Accused Products from Respondent Buy.com in the United States.

157. Around October 30, 2009, a Freescale representative within the United States purchased a Magnavox 42MD459B/F7 television from Proposed Respondent Buy.com. Exhibit 26 contains a sales receipt for the 42MD459B/F7. The unit shown in Exhibit 26 bears a country of origin marking of China.

158. On December 28, 2009, a Freescale representative within the United States purchased a Panasonic HDC-HS250 video camera from Proposed Respondent Buy.com. Exhibit 14 contains a sales receipt for the HDC-HS250. The unit shown in Exhibit 14 bears a country of origin marking of Japan.

**8. Proposed Respondent Computer Nerds International, Inc. d/b/a TheNerds.net**

159. On information and belief, Proposed Respondent Computer Nerds International, Inc. is a Florida corporation having its principal place of business at 2680 NE 188<sup>th</sup> Street, Miami, Florida 33180. A true and correct copy of the Dun and Bradstreet report for Computer Nerds International, Inc. is attached as Exhibit 48.

160. On information and belief, Computer Nerds International, Inc. does business under the name "TheNerds.net."

161. Herein Computer Nerds International, Inc. is also referred to as "TheNerds.net."

162. On information and belief, Respondent TheNerds.net sells after importation Panasonic Accused Products, Funai Accused Products, and JVC Accused Products, including televisions, media, media players and video cameras. (See Exhibits 15, 27, 66).

163. TheNerds.net is not licensed to utilize Freescale's patented technology to import or sell after importation infringing products that use Freescale's patented technologies. TheNerds.net is not paying a royalty to Freescale.

**a. TheNerds.net Accused Products**

164. On information and belief, TheNerds.net Accused Products include products containing Accused Panasonic integrated circuits and chipsets, such as televisions, media, video cameras and media players.

165. Examples of TheNerds.net Accused Products include the following:

a. Televisions:

Panasonic TC-P50G10 Plasma television, Magnavox 42MD459B/F7 television, Sylvania LD427SSX television. (See Exhibit 66).

b. Video Cameras:

JVC GZ-MG630 video camera, JVC GZ-MS120 video camera, Panasonic HDC-HS250 video camera, Panasonic HDC-HS300 video camera. (See Exhibit 66).

c. Media Players:

Panasonic DMP-BD60 Blu-ray player, Panasonic SC-BT300 Blu-ray theater system. (See Exhibit 66).

d. Media:

Panasonic RPSDP04GU1K SD Card. (See Exhibit 66).

166. TheNerds.net Accused Products also include any other Panasonic, JVC, or Funai Accused Products and products containing same imported or sold after importation by or on behalf of TheNerds.net.

**b. Proof of Importation**

167. Between October and December of 2009, a Freescale representative within the United States purchased several imported Panasonic and Funai Accused Products from Respondent TheNerds.net in the United States.

168. Around October 30, 2009, a Freescale representative within the United States purchased a Sylvania LD427SSX television from Proposed Respondent TheNerds.net. Exhibit 27 contains a sales receipt for the LD427SSX. The unit shown in Exhibit 27 bears a country of origin marking of China.

169. On December 28, 2009, a Freescale representative within the United States purchased a Panasonic RPSDP04GU1K memory card from Proposed Respondent TheNerds.net. Exhibit 15 contains a sales receipt for the RPSDP04GU1K. The unit shown in Exhibit 15 bears a country of origin marking of Japan.

**VI. UNLAWFUL AND UNFAIR ACTS OF PROPOSED RESPONDENTS**

170. As detailed herein, on information and belief, Proposed Respondents import, sell for importation, and/or sell after importation into the United States certain integrated circuits, chipsets, and/or products containing same including televisions, media players, video cameras, cameras, and media that infringe one or more of the Asserted Patents.

**A. Infringement of United States Patent No. 5,467,455**

171. On information and belief, Proposed Respondents Panasonic, Funai, Best Buy, Wal-Mart, QVC, Crutchfield, Onecall.com, B&H Photo, Buy.com, and TheNerds.net sell for importation and/or sell after importation into the United States certain integrated circuits, chipsets, and/or products containing same that infringe claims 1, 8, 9, 10, 22, and 26 of the '455 patent.

172. On information and belief, Panasonic integrated circuits that infringe the '455 patent, include, but are not limited to, the MN2WS0047, MN2WS0053, MN84527, MN2WS6AFF, 2WS0044, MN2WS44AFF, MN2WS61AFF, MN2WS62AFF, MN2SW0043AP1, and MN2WS0043DA.

173. On information and belief, Panasonic chipsets that infringe the '455 patent include, but are not limited to, chipsets with DDR2 memory in combination with MN2WS0047, MN2WS0053, MN84527, MN2WS6AFF, 2WS0044, MN2WS44AFF, MN2WS61AFF, MN2WS62AFF, MN2SW0043AP1, or MN2WS0043DA integrated circuits.

174. On information and belief, Panasonic end-products that infringe the '455 patent include, but are limited to, products that include one or more of the infringing integrated circuits or chipsets, including:

a. The TH-50PZ85U Plasma television, which incorporates an infringing MN2WS0047 integrated circuit and chipset;

b. The TC-P50G10 Plasma television, which incorporates an infringing MN2WS0053 integrated circuit and chipset and an infringing MN84527 integrated circuit and chipset;

c. The TC-P46G10 Plasma television, which incorporates an infringing MN2WS0053 integrated circuit and chipset and an infringing MN84527 integrated circuit and chipset;

d. The TC-P50V10 Plasma television, which incorporates an infringing MN2WS0053 integrated circuit and chipset and an infringing MN84527 integrated circuit and chipset;

e. The DMP-BD60 Blu-ray player, which incorporates an infringing MN2WS61AFF integrated circuit and chipset;

f. The DMP-BD35 Blu-ray player, which incorporates an infringing MN2WS44AFF integrated circuit and chipset;

g. The SC-BT100 Blu-ray home theater system, which incorporates an infringing MN2WS0043AP1 integrated circuit and chipset; and

h. The SC-BT300 Blu-ray home theater system, which incorporates an infringing MN2WS61AFF integrated circuit and chipset.

175. Funai Accused Products that infringe the '455 patent include, but are limited to, end-products that include one or more of the infringing integrated circuits or chipsets, including:

a. The Magnavox 42MD459B/F7 television, which incorporates an infringing MN2WS6AFF (2WS0044) integrated circuit and chipset;

b. The Sylvania LD427SSX television, which incorporates an infringing MN2WS6AFF (2WS0044) integrated circuit and chipset;

c. The Magnavox NB500MG1F Blu-ray player, which incorporates an infringing MN2WS62AFF integrated circuit and chipset; and

d. The Sylvania NB500SL9 Blu-ray player, which incorporates an infringing MN2WS0043DA integrated circuit and chipset.

176. On information and belief, the Panasonic integrated circuits MN2WS0047, MN2WS0053, MN84527, MN2WS6AFF, MN2WS61AFF, MN2WS62AFF, 2WS0044, MN2WS0043AP1, MN2WS0043DA, and MN2WS44AFF are within the same integrated circuit series - the AM and/or MN series. (See Exhibit 65).

177. On information and belief, the AM and/or MN series of Panasonic integrated circuits that interface with DDR/2/3 and/or GDDR2/3/4/5 memories and products containing same (the '455 Accused Products), infringe at least claims 1, 8, 9, 10, 22, and 26 of the '455 patent.

178. On information and belief, the MN2WS0047, MN2WS0043DA, and MN2WS44AFF integrated circuits are representative of other members of the AM and/or MN series of Panasonic integrated circuits.

179. A claim chart showing infringement of independent claims 1, 9, and 22 of the '455 patent by the MN2WS0047, MN2WS0043DA, and MN2WS44AFF integrated circuits and products containing same is attached as Exhibit 49.

180. Materials cited in the claim chart provided in Exhibit 49 are attached as Exhibits 50A-50F.

181. On information and belief, end-products imported, sold for importation, or sold after importation by any proposed Respondent, that incorporate one of the above-listed Panasonic integrated circuits or any other Panasonic integrated circuit that infringes the '455 patent will also infringe the '455 patent.

182. On information and belief, Respondent Panasonic also actively induces infringement of the '455 patent by actively and knowingly aiding and abetting direct infringement by its customers. Respondents actively and knowingly sell for importation, import, and/or sell after importation in the United States integrated circuits, such as those identified herein, that when placed into a data processing system by one of Panasonic's customers infringe at least claims 1 and 8 of the '455 patent.

183. Respondents have been selling Accused integrated circuits knowing that there are no legitimate non-infringing uses of the integrated circuits. The Accused Panasonic integrated circuits are not staple articles of commerce and do not have a substantial non-infringing uses.

184. On information and belief, Respondent Panasonic sells for importation, imports and/or sells after importation in the United States integrated circuits, such as those identified herein, and thereby contributes to the infringement of at least claims 1 and 8 of the '455 patent. Direct infringement of the asserted claims occurs when Panasonic customers use the Accused Panasonic integrated circuits in a data processing system. The Accused Panasonic integrated circuits are not staple articles of commerce and do not have substantial non-infringing uses.

185. Respondent Panasonic is aware or has been made aware by this Complaint of the '455 patent and its applicability to the infringing products.

**B. Infringement of United States Patent No. 5,715,014**

186. On information and belief, Proposed Respondents Panasonic, Best Buy, QVC, Crutchfield, Onecall.com, B&H Photo, Buy.com, and TheNerds.net import, sell for importation and/or sell after importation into the United States certain products that infringe the '014 patent.

187. On information and belief, Accused Panasonic televisions that infringe the '014 patent, include, but are not limited to, the following Panasonic television model numbers: TH-65PZ850U; TC-P54Z1; TC-P65V10; TH-58PZ850U; TH-50PZ850U; TH-46PZ850U; TC-P50V10; TC-P58V10; TC-P54V10; TC-P54G10; TC-P50G15; TC-P50G10; TC-P46G15; TC-P46G10; TC-P42G15; and TC-P42G10.

188. Claim charts showing infringement of independent claims 1 and 10 of the '014 patent by representative Accused '014 Products are attached hereto as Exhibit 51.

189. Materials cited in the claim chart provided in Exhibit 51 are attached as Exhibits 52A-52D.

190. On information and belief, other Panasonic "Viera Cast" televisions also infringe at least claims 1 and 10 of the '014 patent.

191. On information and belief, Respondents that sell '014 Accused Products actively induce infringement of the '014 patent by actively and knowingly aiding and abetting direct infringement by their customers. Respondents actively and knowingly sell for importation, import and/or sell after importation in the United States products that when used infringe claim 10 of the '014 patent.

192. Respondents have been selling '014 Accused Products knowing that there are no legitimate non-infringing uses of the infringing functionality of the products. The PIP parental control functionality is not a staple article of commerce and has no substantial non-infringing use.

193. On information and belief, one or more of the Respondents sell for importation, import and/or sell after importation in the United States sell '014 Accused Products, and thereby contribute to the infringement of at least Claim 10 of the '014 patent. Direct infringement of the asserted method claim occurs when Respondents' customers use at least the PIP parental control functionality of the '014 Accused Products.

194. Respondents Panasonic has been aware of the '014 patent and its applicability to the infringing products at least as early May 2007. Respondent JVC has been aware of the '014 patent and its applicability to the infringing products at least as early September 2008. The remaining Respondents have been made aware by this complaint of the '014 patent and its applicability to the infringing products

**C. Infringement of United States Patent No. 7,199,306**

195. On information and belief, Proposed Respondents Panasonic, JVC, Best Buy, Wal-Mart, QVC, Crutchfield, B&H Photo, Buy.com, and TheNerds.net import, sell for



importation or sell after importation into the United States certain integrated circuits and products containing same that were at least partially manufactured using a method that infringes claims 1, 6, 11, 13, 14, 15, and 16 of the '306 patent.

196. Panasonic integrated circuits that were manufactured by Panasonic or on its behalf using a method that infringes the '306 patent, include, but are not limited to, the BC98FPB, MN101C98F, 95009B, MN2PS0001SP1, ZSFDORTB1, MN103SFDOR, MN103SDOQGF, MN103SDQGA, MN103SDOQMA, MN103SC10ERF, and MN89520RF integrated circuits.

197. Panasonic end-products that were manufactured by Panasonic or on its behalf, using a method that infringes the '306 patent include, but are limited to, products that include one or more the infringing integrated circuits, including:

a. The RPSS01GB1K 1GB SD card, which incorporates an infringing BC98FPB (MN101C98F) integrated circuit;

b. The RPSDP04GU1K 4GB SD Card, which incorporates an infringing 95009B integrated circuit;

c. The HDC-100 video camera, which incorporates an infringing MN2PS0001SP1 integrated circuit and an infringing ZSFDORTB1 (MN103SFDOR) integrated circuit;

d. The HDC-HS250 video camera, which incorporates an infringing MN103SDOQMA integrated circuit;

e. The HDC-HS300K video camera, which incorporates an infringing MN103SDOQMA integrated circuit; and

f. The DMC-ZS3K camera, which incorporates an infringing MN89520RF integrated circuit.

198. JVC end-products that were manufactured using a method that infringes the '306 patent include, but are limited to, products that include one or more the infringing integrated circuits or chipsets, including:

a. The GZ-HD300 video camera, which incorporates an infringing MN103SDOQGF integrated circuit;

b. The GZ-MG630 video camera, which incorporates an infringing MN103SDQGA integrated circuit; and

c. The GZ-MS120 video camera, which incorporates an infringing MN103SDQGA integrated circuit.

199. On information and belief, Panasonic integrated circuits BC98FPB, MN101C98F, 95009B, MN2PS0001SP1, ZSFDORTB1, MN103SFDOR, MN103SDOQGF, MN103SDQGA, MN103SDOQMA, MN103SC10ERF, and MN89520RF are within the same family of Panasonic integrated circuits – the AM or MN series. (*See Exhibit 65*).

200. On information and belief, the Panasonic MN101C98F and MN2PS0001SP1 integrated circuits are representative of other members of the AM and/or MN series of Panasonic integrated circuits packaged in a MAPBGA package.

201. On information and belief, integrated circuits in Panasonic's MN and/or AM series of Panasonic integrated circuits, when packaged in a MAPBGA package (the '306 Accused Products), are manufactured using a method that infringes at least claims 1, 6, 11, 13, 14, 15, and 16 of the '306 patent.

202. A claim chart showing infringement of independent claim 1 of the '306 patent by representative Panasonic integrated circuits is attached as Exhibit 53.

203. Materials cited in the claim chart provided in Exhibit 53 are attached as Exhibits 54A-54F.

204. On information and belief, end-products imported, sold for importation, or sold after importation by any proposed Respondent, that incorporate one of the above-listed Panasonic integrated circuits or any other Panasonic integrated circuit that were manufactured by Panasonic or on its behalf using a method that infringes the '306 patent will also infringe the '306 patent.

#### **VII. TARIFF CLASSIFICATION UNDER THE HARMONIZED TARIFF SCHEDULE**

205. On information and belief, the infringing integrated circuits have been imported into the United States under at least subheading 8542.

206. On information and belief, the infringing televisions have been imported into the United States under at least subheading 8528.

207. On information and belief, the infringing cameras and video cameras have been imported into the United States under at least subheadings 8525.80.40 and 8525.80.50.

208. On information and belief, the infringing media players have been imported into the United States under at least subheading 8521.90.00.

209. On information and belief, the infringing media has been imported into the United States under at least subheading 8523.

210. The foregoing is illustrative and is not intended to restrict the scope of any remedy sought by Complainant.

## **VIII. RELATED LITIGATION**

211. On December 7, 2006, Freescale filed an infringement suit against ProMOS Technologies in the United States District Court for the Eastern District of Texas, Sherman Division, Civil Action Number 4:06-CV-491, alleging that ProMOS infringed three Freescale patents (U.S. Patent Nos. 5,367,494; 5,467,455; and 5,476,816). The parties settled and filed a Joint Stipulation of Dismissal on August 1, 2008. The case was dismissed on August 4, 2008.

212. On August 13, 2008, Freescale filed a complaint in the United States International Trade Commission, Investigation No. 337-TA-656, alleging that LSI Corporation ("LSI") has sold for importation, imported, or sold within the United States integrated circuits that infringe U.S. Patent No. 5,467,455; U.S. Patent No. 5,776,798; and U.S. Patent No. 6,473,349. The Commission instituted the investigation on September 18, 2008. On October 27, 2008, Freescale and LSI jointly moved to terminate the investigation on the basis of a settlement agreement. On November 10, 2008 the ALJ overseeing the investigation issued an Initial Determination granting the motion to terminate the investigation. On November 29, 2008, the Commission declined to review the Initial Determination.

213. On August 8, 2008, Freescale filed an infringement suit in the United States District Court for the Eastern District of Texas, Civil Action Number 2:08-CV-314, alleging that LSI infringed U.S. Patent No. 5,467,455; U.S. Patent No. 5,776,798; and U.S. Patent No. 6,473,349. On September 29, 2008, the Court stayed the action pursuant to 28 U.S.C. § 1659. On October 29, 2008, the Court granted the parties' joint motion to lift the stay and dismiss the action.

214. On March 1, 2010, Freescale filed an infringement suit in the United States District Court for the Western District of Texas, Austin Division, Civil Action Number \_\_\_\_\_, alleging that the above-listed Panasonic, JVC, and Funai entities infringe the Asserted Patents.

215. Other than the above, Freescale is aware of no other foreign or domestic litigation or PTO proceeding involving any of the Asserted Patents.

**IX. DOMESTIC INDUSTRY**

216. An industry exists in the United States as required by subsection (a)(2) of Section 337 relating to Freescale's semiconductors.

217. Freescale has made at least significant employment of labor and capital and/or substantial investment in engineering, research and development, and/or licensing with respect to the Asserted Patents.

**A. Freescale's Practice and/or License of the Asserted Patents**

218. The '455, '014 and '306 patents are practiced by Freescale and/or licensed by Freescale.

219. Freescale and/or its licensees practice at least claims 1, 8, 9, 10, 22, 24, and 26 of the '455 patent. Freescale products practicing the '455 patent include the Freescale MPC8536, P4080, and P2020 processors.

220. Attached as Exhibit 55 to this Complaint is a photograph of Freescale's MPC8536e processor. A physical sample of Freescale's MPC8536e processor is submitted as Physical Exhibit PX-1.

221. Confidential Exhibit 56C is a claim chart showing that Freescale's MPC8536e processor practices at least independent claim 22 of the '455 patent.

222. Materials cited in the claim chart provided in Exhibit 56 are attached as Exhibits 57A-57C.

223. Freescale and/or its licensees practice at least claims 1, 6, 11, 13, 14, 15, 16, 19, and 26 of the '306 patent. Freescale products practicing the '306 patent include the Freescale MCIMX31CJKN5D processor.

224. Attached as Exhibit 59 to this Complaint is a photograph of Freescale's MCIMX31CJKN5D processor.

225. Confidential Exhibit 60C is a claim chart showing that Freescale's MCIMX31CJKN5D processor practices independent claim 1 of the '306 patent.

226. Materials cited in the claim chart provided in Exhibit 60 are attached as Exhibits 61A-61C.

227. A physical sample of Freescale's MCIMX31CJKN5D processor is submitted as Physical Exhibit PX-2.

228. As of January 2010, Freescale has made a great investment in the exploitation of the '014 patent and the other Asserted Patents by virtue of its substantial engineering, research and development, licensing, and/or technical service activities within the United States relating to technology protected by the relevant claims of these patents.

229. For example, Freescale has undertaken an extensive and substantial licensing program relating to its patented technology, including the patented technology of the '014 patent and the other Asserted Patents.

230. The Asserted Patents, and the patent families of which they are a part, are important parts of Freescale's patent portfolio and are significant to Freescale's licensing activity. (See Confidential Exhibit 7C). Numerous Freescale licensees are believed to use their licenses to practice the technology of the Asserted Patents. (See Confidential Exhibit 7C).

**B. United States Economic Activity Relating to the Asserted Patents**

231. A domestic industry exists in the United States with respect to the articles protected by the Asserted Patents pursuant to 19 U.S.C. § 1337(a)(3)(A), (B) and/or (C).

232. Freescale invests within the United States in at least professional, technical, support, administrative, and managerial personnel who conduct research and development and engineering implementing the technology for Freescale's semiconductors that are protected by the '455 patent, including its DDR2/3 memory related products.

233. The Declaration of Sumant Subramanian supporting Freescale's investments within the United States in professional, technical, support, administrative, and managerial personnel who conduct research and development and engineering implementing the technology for Freescale's semiconductors that are protected by the '455 patent, including DDR2/3 memory products, such as the Freescale MPC8536e product, is attached as Confidential Exhibit 62C.

234. Freescale continues the operation of commercial facilities within the United States devoted to the ongoing commercial research, development and engineering of devices protected by the '455 patent, including DDR2/3 memory related products.

235. Freescale's continuing operation of commercial facilities within the United States devoted to the ongoing commercial research, development and engineering of devices protected by the '455 patent is also supported by the Declaration of Sumant Subramanian in Confidential Exhibit 62C.

236. Freescale has made significant investments in labor associated with products practicing the '455 patent. The Declaration of Christopher L. Jensen, detailing Freescale's salary expenditures for employees working on products practicing the '455 patent, is attached as Confidential Exhibit 63C. Information relating to the MPC8536e processor may be found at Tab A of Confidential Exhibit 63C.

237. Freescale invests within the United States in at least professional, technical, support, administrative, and managerial personnel who conduct research and development and engineering implementing the technology for Freescale's semiconductors that are protected by the '306 patent, including its MAPBGA products.

238. The Declaration of Stuart Buchanan supporting Freescale's investments within the United States in professional, technical, support, administrative, and managerial personnel who conduct research and development, and engineering implementing the technology for Freescale's semiconductors that are protected by the '306 patent, including MAPBGA products, such as the Freescale MCIMX31CJKN5D Processor, is attached as Confidential Exhibit 64C.

239. Freescale continues the operation of commercial facilities within the United States devoted to the ongoing commercial research, development and engineering of devices protected by the '306 patent, including MAPBGA products.

240. Freescale's continuing operation of commercial facilities within the United States devoted to the ongoing commercial research, development and engineering of devices protected by the '306 patent is supported by the Declaration of Stuart Buchanan in Confidential Exhibit 64C.

241. Freescale has made significant investments in labor and capital associated with its MAPBGA products. The Declaration of Christopher L. Jensen, detailing Freescale's salary expenditures for employees working on MAPBGA products practicing the '306 patent, is attached hereto as Confidential Exhibit 63C. Information concerning the MAPBGA products may be found at Tab B of Confidential Exhibit 63C.

242. Freescale has also made significant investments to license the technologies represented by the '455, '306, and '014 patents.



243. Freescale has at least 22 employees supporting Freescale's patent licensing activities including the '455, '306, and '014 patents.

244. The Freescale employees supporting Freescale's patent licensing activities relating to the '455, '306, and '014 patents engage, *inter alia*, in the administration and oversight of Freescale's patent portfolio, monitoring the marketplace for potential infringers, conducting technical analysis and reverse engineering of potentially infringing products, conducting licensing negotiations, and providing legal support.

245. The '455, '306, and '014 patents have been widely licensed by Freescale, generating significant revenues. A list of all patent licenses to, and covenants-not-to assert, the '455, '306, and '014 patents are attached as Confidential Exhibit 7C. Freescale's licensing revenues are included in the Declaration of Lee Chastain in support of allegations of investments in intellectual property and technology licensing operations which is attached as Confidential Exhibit 58C.

246. Freescale has invested substantial sums in enforcement actions of its patents, including the '455, '306, and '014 patents, resulting in royalty bearing licenses.

247. A declaration providing a breakdown of Freescale's investments in intellectual property and technology licensing operations attributable to domestic industry activities exploiting the '455, '306, and '014 patents is set forth in Confidential Exhibit 58C.

248. Freescale's investment in salaries for United States employees engaged in intellectual property and technology licensing operations relating to the '455, '306, and '014 patents is set forth in Tab C of Confidential Exhibit 63C.

**X. RELIEF REQUESTED**

249. WHEREFORE, by reason of the foregoing, Complainant Freescale Semiconductor, Inc. respectfully requests that the United States International Trade Commission:

(a) Institute an investigation, pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337(a)(1)(B)(i) and (b)(1), with respect to violations of Section 337 based upon the importation into the United States, the sale for importation, and/or the sale within the United States after importation of Proposed Respondents' Accused Products that infringe, induce the infringement, and/or contribute to the infringement of one or more of claims 1, 8, 9, 10, 22, or 26 of the '455 patent, claims 1 or 10 of the '014 patent, and/or claims 1, 6, 11, 13, 14, 15, or 16 of the '306 patent;

(b) Schedule and conduct a hearing on said unlawful acts and determine that there has been a violation of Section 337;

(c) Issue a permanent exclusion order forbidding entry into the United States of integrated circuits, chipsets, and products containing the same, including, but not limited to, televisions, media, media players, video cameras, and cameras that infringe claims 1, 8, 9, 10, 22, or 26 of the '455 patent, claims 1 or 10 of the '014 patent, and/or claims 1, 6, 11, 13, 14, 15, or 16 of the '306 patent;

(d) Issue permanent cease and desist orders, pursuant to 19 U.S.C. § 1337(f), directing Respondents, their affiliates, and others acting on behalf of Respondents, to cease and desist from importing, marketing, advertising, demonstrating, warehousing inventory for distribution, offering for sale, selling, distributing, licensing or use of integrated circuits, chipsets, and products containing the same, including, but not limited to, televisions, media, media players, video cameras, and cameras in the United States or transferring outside of the

United States, that infringe one or more of the asserted claims of Freescale's United States Patent Nos. 5,467,455; 5,715,014; and 7,199,306;

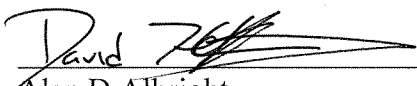
(e) Order that any importation during the presidential review period be made subject to a bond sufficient to protect the Complainant from any injury; and

(f) Grant such other and further relief as the Commission deems just and proper based upon the facts as determined by the investigation and the authority of the Commission.

Dated: 3/1/10

Respectfully submitted,

**BRACEWELL & GIULIANI LLP**



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***Counsel for Complainant  
Freescale Semiconductor, Inc.***

**VERIFICATION BY COMPLAINANT**

I, Peter M. Roossien, am the Director of Litigation of Freescale Corporation, Inc. and am duly authorized to sign this complaint on behalf of Freescale Semiconductor, Inc.

1. I have read the Complaint Under Section 337 of The Tariff Act Of 1930, As Amended, and am aware of its contents. In accordance with the provisions of 19 C.F.R. §§ 210.4 and 210.12(a), I hereby declare that the following statements are true:

2. To the best of my knowledge, information and belief, formed after an inquiry reasonable under the circumstances, the allegations and other factual contentions in the complaint have evidentiary support or, if specifically so identified, are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery.

3. The claims and other legal contentions in the complaint are warranted by existing law or by a non-frivolous argument for the extension, modification, or reversal of existing law or the establishment of new law.

4. The complaint is not being presented for any improper purpose, such as to harass or to cause unnecessary delay or needlessly increase in the cost of the investigation.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed on 2/25/10.



\_\_\_\_\_  
Peter M. Roossien

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Director of Litigation