

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

LAKE CHEROKEE HARD DRIVE
TECHNOLOGIES, L.L.C., a Texas limited
liability company,

Plaintiff,

vs.

BASS COMPUTERS, INC., a Texas
corporation; HITACHI GLOBAL STORAGE
TECHNOLOGIES, INC., a Delaware
corporation; LSI CORPORATION, a
Delaware corporation; MARVELL
SEMICONDUCTOR, INC., a California
corporation; SAMSUNG
SEMICONDUCTOR, INC., a California
corporation; TECH DATA CORPORATION,
a Florida corporation,
STMICROELECTRONICS, INC., a
Delaware corporation, and
STMICROELECTRONICS N.V., a
Netherlands corporation,

Defendants.

CASE NO. 2:10-cv-216

Jury Trial Demanded

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Lake Cherokee Hard Drive Technologies, L.L.C., (“Lake Cherokee”) sues Defendants Bass Computers, Inc, Hitachi Global Storage Technologies, Inc., LSI Corporation, Marvell Semiconductor, Inc., Samsung Semiconductor, Inc., Tech Data Corporation, STMicroelectronics, Inc., and STMicroelectronics N.V. (collectively “Defendants”) and, on information and belief, alleges as follows:

Introduction

1. Plaintiff Lake Cherokee owns the inventions described and claimed in United States Patent Nos. 5,844,738 entitled “Synchronous Read Channel Employing a Sequence Detector with Programmable Detector Levels” (the “738 Patent”) and 5,978,162 entitled “Synchronous Read Channel Integrated Circuit Employing a Channel Quality Circuit for Calibration” (the “162 Patent”) (collectively “the Patents”). Defendants (a) have used and continue to use Plaintiff’s patented technology in products that they make, use, import, sell, and offer to sell, and (b) have contributed to or induced, and continue to contribute to or induce, others to infringe the Patents. Lake Cherokee seeks damages for patent infringement and an injunction preventing Defendants from making, using, selling, or offering to sell, and from contributing to and inducing others to make, use, sell, or offer to sell, the technology claimed by the Patents without Plaintiff’s permission.

Jurisdiction and Venue

2. This is an action for patent infringement arising under the patent laws of the United States, 35 U.S.C. §§ 271 and 281, *et seq.* The Court has original jurisdiction over this patent infringement action under 28 U.S.C. § 1338(a).

3. Each of the Defendants has committed acts and continues to commit acts within this judicial district giving rise to this action. Venue is proper in this district pursuant to 28 U.S.C. § 1391(b) and § 1400.

Plaintiff Lake Cherokee

4. Plaintiff Lake Cherokee is a limited liability company existing under and by virtue of the laws of the State of Texas.

The Patents

5. The United States Patent and Trademark Office issued the '738 Patent (attached as exhibit A) on December 1, 1998; and the '162 Patent (attached as exhibit B) on November 2, 1999. Through assignment, Plaintiff is the owner of all right, title, and interest in the Patents, including all rights to pursue and collect damages for past infringement of the Patents.

Defendants

6. Upon information and belief, Bass Computers, Inc. ("Bass") is a corporation organized and existing under the laws of the State of Texas, with its principal place of business in Houston, Texas.

7. Upon information and belief, Hitachi Global Storage Technologies, Inc. ("Hitachi") is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business in San Jose, California. Hitachi is registered to do business as a foreign for-profit corporation in the state of Texas. Hitachi's foreign corporation registration lists CT Corporation System as its registered agent for service of process.

8. Upon information and belief, LSI Corporation ("LSI") is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business in Milpitas, California.

9. Upon information and belief, Marvell Semiconductor, Inc. ("Marvell") is a corporation organized and existing under the laws of the State of California, with its principal place of business in Santa Clara, California. Marvell is registered to do business as a foreign for-profit corporation in the state of Texas. Marvell's foreign corporation registration lists CT Corporation System as its registered agent for service of process.

10. Upon information and belief, Samsung Semiconductor, Inc. (“Samsung”) is a corporation organized and existing under the laws of the State of California, with its principal place of business in San Jose, California. Samsung is registered to do business as a foreign corporation in the state of Texas. Samsung’s foreign corporation registration lists National Registered Agents, Inc. as its registered agent for service of process.

11. Upon information and belief, Tech Data Corporation (“Tech Data”) is a corporation organized and existing under the laws of the State of Florida, with its principal place of business in Clearwater, Florida. Tech Data is registered to do business as a foreign for-profit corporation in the state of Texas. Tech Data’s foreign corporation registration lists National Registered Agents, Inc. as its registered agent for service of process.

12. Upon information and belief, STMicroelectronics, Inc. (“STMicroelectronics”) is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business in Carrollton, Texas.

13. Upon information and belief, Defendant STMicroelectronics, N.V. is a Netherlands corporation with a principal place of business at 39, Chemin du Champ-des-Filles, 1228 Plan-les-Ouates, Geneva, Switzerland.

First Claim for Patent Infringement
(infringement of the ‘738 patent)

14. Plaintiff incorporates by reference each of the allegations in paragraphs 1 - 13 above and further alleges as follows:

15. The United States Patent and Trademark Office issued the ‘738 patent on December 1, 1998. Plaintiff is the owner of the ‘738 Patent with full rights to pursue recovery of royalties or damages for infringement of said patent, including full rights to recover past and future damages.

16. Defendants have infringed, contributed to the infringement, or induced others to infringe the '738 Patent and, unless enjoined, will continue to do so by manufacturing, importing, using, selling, or offering for sale products, in particular hard disk drives, that infringe the claims of the '738 Patent and by contributing to or inducing others to infringe the claims of the '738 Patent without a license or permission from Plaintiff.

17. Plaintiff has been damaged by Defendants' infringement of the '738 patent and will suffer additional irreparable damage and impairment of the value of its patent rights unless Defendants are enjoined from continuing to infringe the '738 patent.

18. Plaintiff is entitled to recover damages from the Defendants to compensate it for the infringement.

19. Plaintiff demands trial by jury of all issues relating to this claim.

Second Claim for Patent Infringement
(infringement of the '162 patent)

20. Plaintiff incorporates by reference each of the allegations in paragraphs 1 – 13 above and further alleges as follows:

21. The United States Patent and Trademark Office issued the '162 patent on November 2, 1999. Plaintiff is the owner of the '162 Patent with full rights to pursue recovery of royalties or damages for infringement of said patent, including full rights to recover past and future damages.

22. Defendants have infringed, contributed to the infringement, or induced others to infringe the '162 Patent and, unless enjoined, will continue to do so by manufacturing, importing, using, selling, or offering for sale products, in particular hard disk drives, that infringe the claims of the '162 Patent and by contributing to or inducing others to infringe the claims of the '162 Patent without a license or permission from Plaintiff.

23. Plaintiff has been damaged by Defendants' infringement of the '162 patent and will suffer additional irreparable damage and impairment of the value of its patent rights unless Defendants are enjoined from continuing to infringe the '162 patent.

24. Plaintiff is entitled to recover damages from the Defendants to compensate them for the infringement.

25. Plaintiff demands trial by jury of all issues relating to this claim.

WHEREFORE, Plaintiff prays for judgment as follows:

- A. A decree preliminarily and permanently enjoining Defendants, their officers, directors, employees, agents, and all persons in active concert with them, from infringing, and contributing to or inducing others to infringe, the '738 and '162 patents;
- B. Compensatory damages for Defendants' infringement of the '738 and '162 patents;
- C. Costs of suit and attorneys' fees;
- D. Pre-judgment interest; and
- E. For such other relief as justice requires.

Dated: June 30, 2010

Respectfully submitted,

By: /s/ Robert Christopher Bunt

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