

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

Semiconductor Packaging Technologies LLC,	§
	§
Plaintiff,	§
	§
v.	§ Civil Action No. 1:11-cv-1115
	§
Advanced Micro Devices, Inc.,	§ Jury Trial Demanded
	§
Defendant.	§

ORIGINAL COMPLAINT

Semiconductor Packaging Technologies LLC (“SPT” or “Plaintiff”), by and through its attorneys, for its Original Complaint against Defendant Advanced Micro Devices, Inc. (“AMD” or “Defendant”), hereby alleges as follows:

I. NATURE OF THE ACTION

1. This is a patent infringement action to end Defendant’s unauthorized and infringing manufacture, use, sale, offering for sale, and/or importation of products and methods incorporating Plaintiff SPT’s patented inventions.

2. SPT holds all substantial rights and interest in and to United States Patent No. 7,253,515 (the “515 Patent”), issued on August 7, 2007, for “Semiconductor Package Featuring Metal Lid Member.” A true and correct copy of the ‘515 Patent is attached hereto as Exhibit 1.

3. Defendant makes, uses, sells and imports infringing products and provides infringing services in violation of the Patent. Plaintiff SPT seeks injunctive relief to prevent Defendant from continuing infringement of Plaintiff’s patent rights. Plaintiff SPT further seeks monetary damages and prejudgment interest for Defendant’s past infringement of the ‘515

Patent.

4. This is an exceptional case, and SPT is entitled to damages, enhanced damages, attorneys' fees, costs, and expenses.

II. THE PARTIES

5. Plaintiff SPT is a limited liability company organized and existing under the laws of the State of Texas, with its principal place of business located at 6136 Frisco Square Boulevard, Suite 385, Frisco, TX 75034.

6. Upon information and belief, Defendant Advanced Micro Devices, Inc. is a Delaware corporation with principal places of business located in Sunnyvale, California and Austin, Texas. Advanced Micro Devices, Inc. has appointed C T Corporation System, 350 N. St. Paul St., Ste. 2900, Dallas, TX 75201 as its agent for service of process. Advanced Micro Devices, Inc. does business within the State of Texas and this District. Hereinafter, Advanced Micro Devices, Inc. is referenced as "AMD."

III. JURISDICTION AND VENUE

7. This is an action for patent infringement which arises under the Patent Laws of the United States, in particular, 35 U.S.C. §§271, 281, 283, 284, and 285. This Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§1331 and 1338(a).

8. This Court has personal jurisdiction over Defendant, and venue is proper in this Court pursuant to 28 U.S.C. §§1391(b), (c), and 1400.

IV. PLAINTIFF'S '515 PATENT

9. The '515 Patent is directed to packaging for semiconductor chips. In accordance with the '515 Patent, a package is provided which includes a lid member defining a recess for accommodating a semiconductor chip. More specifically, a lid member having particular

characteristics can be mounted on a package board so that the semiconductor chip is accommodated in the recess of the lid member. A first adhesive layer is formed on the package board so that a peripheral portion of the lid member is adhered on the package board with the first adhesive layer. A second adhesive layer is formed on the semiconductor chip so that the lid member is adhered to the semiconductor chip with the second adhesive layer.

10. SPT holds all substantial rights in and to the '515 Patent, including all rights to recover for all past and future infringements thereof.

VI. DEFENDANT' ACTS

AMD

11. AMD provides, makes, uses, sells, offers for sale, and/or distributes infringing semiconductor devices. The infringing devices include, for example, the AMD Athlon II X2.

12. With knowledge of the '515 Patent, AMD provides related services and instructions for the infringing operation of such systems to its customers.

13. Through its actions, AMD has directly infringed the '515 Patent and actively induced others including its customers to infringe and contributed to the infringement by others of the '515 Patent throughout the United States.

14. SPT has been and will continue to suffer damages as a result of Defendant AMD's infringing acts unless and until enjoined.

COUNT ONE

PATENT INFRINGEMENT—U.S. PATENT NO. 6,195,515

15. Plaintiff SPT realleges and incorporates herein paragraphs 1–14.

16. Defendant AMD has directly infringed the '515 Patent in violation of 35 U.S.C. §271(a).

17. AMD has indirectly infringed the '515 Patent by inducing the infringement of the '515 Patent and contributing to the infringement of the '515 Patent in violation of 35 U.S.C. §§271(b) and (c), including by its customers.

18. Defendant's aforementioned acts have caused damage to SPT and will continue to do so unless and until enjoined.

VII. JURY DEMAND

19. Plaintiff SPT hereby demands a jury on all issues so triable.

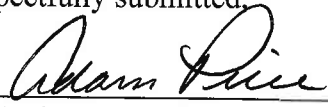
VIII. REQUEST FOR RELIEF

WHEREFORE, Plaintiff SPT respectfully requests that the Court:

- A. Enter judgment that AMD infringes one or more claims of the '515 Patent literally and/or under the doctrine of equivalents;
- B. Permanently enjoin AMD, its agents, servants, and employees, and all those in privity with each Defendant or in active concert and participation with any of the Defendant, from engaging in acts of infringement of the '515 Patent;
- C. Award Plaintiff SPT past and future damages together with prejudgment and post-judgment interest to compensate for the infringement by Defendant of the '515 Patent in accordance with 35 U.S.C. §284, and increase such award by up to three times the amount found or assessed in accordance with 35 U.S.C. §284;
- D. Declare this case exceptional pursuant to 35 U.S.C. §285; and
- E. Award Plaintiff SPT its costs, disbursements, attorneys' fees, and such further and additional relief as is deemed appropriate by this Court.

Dated: December 28, 2011

Respectfully submitted,

By: 

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