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RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE

E-filing

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SYNTEST TECHNOLOGIES, INC.,

CV 12- 5965
Case No.

Plaintiff,

PSG

v.

COMPLAINT FOR PATENT
INFRINGEMENT

CISCO SYSTEMS, INC.,

Defendant.

DEMAND FOR JURY TRIAL

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COMPLAINT FOR PATENT
INFRINGEMENT

BY FAX

1 Plaintiff SynTest Technologies, Inc. ("SynTest") complains of defendant Cisco Systems,
2 Inc. ("Cisco") as follows:

3 **JURISDICTION AND VENUE**

4 1. This is a claim for patent infringement arising under the patent laws of the United
5 States, Title 35 of the United States Code. This Court has exclusive jurisdiction over the subject
6 matter of the Complaint under 28 U.S.C. § 1338(a).

8 2. Venue is proper in this district under 28 U.S.C. §§ 1391(c) and 1400(b).

9 3. This Court has personal jurisdiction over Cisco by virtue of its acts of patent
10 infringement which have been committed in this judicial district, and by virtue of its transaction
11 of business in this district.

12 **PARTIES**

13 4. SynTest is a California corporation with a principal place of business in this
14 district at 505 S. Pastoria Avenue, Sunnyvale, CA 94086.

15 5. Cisco is a California corporation with a principal place of business in this district
16 at 170 West Tasman Drive, San Jose, CA 95134.

17 **THE PATENTS AT ISSUE**

18
19 6. SynTest owns and has standing to sue for infringement of the following United
20 States Patents:

- 21
- 22 • United States Patent No. 7,007,213 ("the '213 Patent") entitled "Multiple-Capture DFT System for Detecting or Locating Crossing Clock-Domain Faults During Self-Test or Scan-Test";
 - 23
 - 24 • United States Patent No. 7,434,126 ("the '126 Patent") entitled "Computer-Aided Design (CAD) Multiple-Capture DFT System for Detecting or Locating Crossing Clock-Domain Faults";
 - 25
 - 26 • United States Patent No. 7,779,323 ("the '323 Patent") entitled "Multiple-Capture DFT System for Detecting or Locating Crossing Clock-Domain Faults During Self-Test or Scan-Test";
 - 27
 - 28

1 (collectively, the "SynTest Patents," attached as Exhibit "A").

2 7. The development of the technology described in the SynTest Patents was led by
3 Laung-Terng Wang, PhD ("Dr. Wang"), the founder and president of SynTest. Dr. Wang is a
4 pioneer in Logic Built-In Self-Test ("BIST") using a staggered clocking scheme to improve the
5 test and diagnosis of integrated circuits in a system.

6
7 8. SynTest has given notice of the SynTest Patents to the public, including Cisco,
8 through compliance with the provisions of 35 U.S.C. § 287.

9 **CLAIM FOR PATENT INFRINGEMENT**
10 (Against Cisco)

11 9. SynTest incorporates all of the foregoing averments as if fully set forth herein.

12 10. SynTest is the owner of the entire right, title, and interest in and to the SynTest
13 Patents, copies of which are attached as Exhibit "A" and are fully incorporated as if set forth
14 herein.

15 11. Cisco has infringed one or more claims of each of the SynTest Patents under 35
16 U.S.C. §271(a) through the manufacture, use, sale and/or offer for sale of BIST methods and
17 devices employing BIST technology including products and services associated with Cisco
18 switch, router and network products, including Cisco Catalyst Switches, Cisco Routers, Cisco
19 Security Products and Cisco Access Servers designed, made, tested, used and sold between 2006
20 and the present.

21
22 12. Cisco has also induced others (such as its customers and subcontractors) to
23 infringe one or more claims of each of the SynTest Patents under 35 U.S.C. §271(b) by aiding,
24 abetting, assisting and encouraging their acts of infringement involving Cisco Catalyst Switches,
25 Cisco Routers, Cisco Security Products and Cisco Access Servers designed, made, tested, used
26 and sold between 2006 and the present.
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13. Cisco's infringement has injured SynTest and SynTest is entitled to recover damages adequate to compensate it for such infringement, but in no event less than a reasonable royalty.

14. Cisco's infringement will continue to injure SynTest and its licensees until this court enters an injunction prohibiting further infringing conduct by Cisco whether alone or in concert with others.

PRAYER FOR RELIEF

WHEREFORE, SynTest, asks this Court to enter judgment against Cisco and against its subsidiaries, affiliates, agents, servants, employees, and all persons in active concert or participation with them, granting the following relief:


- 1. An award of damages adequate to compensate SynTest for the infringement that has occurred, together with prejudgment interest from the date infringement of the SynTest Patents began;
- 2. A permanent injunction prohibiting further infringement of the SynTest Patents; and
- 3. Such other and further relief as this Court or a jury may deem proper and just.

JURY DEMAND

SynTest demands a trial by jury on all issues so triable.

Dated: November 21, 2012

LATHROP & GAGE LLP

By: 
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SYNTEST TECHNOLOGIES, INC.