

# Exhibit 2

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

ELM 3DS INNOVATIONS, LLC, a  
Delaware limited liability company,

Plaintiff,

v.

MICRON TECHNOLOGY, INC., a  
Delaware corporation, MICRON  
SEMICONDUCTOR  
PRODUCTS, INC., an Idaho corporation, and  
MICRON CONSUMER PRODUCTS  
GROUP, INC., a Delaware corporation,

Defendants.

C.A. No. 1:14-cv-01431-LPS-CJB

**Jury Trial Demanded**

**SECOND AMENDED COMPLAINT FOR PATENT INFRINGEMENT**

Plaintiff Elm 3DS Innovations, LLC (“Plaintiff” or “Elm 3DS”), by its attorneys, for its complaint against Defendants Micron Technology, Inc., and its subsidiaries and related entities Micron Semiconductor Products, Inc., and Micron Consumer Products Group, Inc. (individually or collectively “Defendants” or “Micron”) hereby alleges as follows:

**INTRODUCTION**

1. This is an action for patent infringement under the Patent Laws of the United States, 35 U.S.C. § 1 et seq., for infringing the following Elm 3DS patents:

- (a) U.S. Patent No. 7,193,239 (“Leedy ’239 patent”), entitled “*Three Dimensional Structure Integrated Circuit*,” owned by Elm 3DS Innovations, LLC (attached as Ex. 1);
- (b) U.S. Patent No. 7,474,004 (“Leedy ’004 patent”), entitled “*Three Dimensional Structure Memory*,” owned by Elm 3DS Innovations, LLC (attached as Ex. 2);
- (c) U.S. Patent No. 7,504,732 (“Leedy ’732 patent”), entitled “*Three Dimensional Structure Memory*,” owned by Elm 3DS Innovations, LLC (attached as Ex. 3);

- (d) U.S. Patent No. 8,410,617 (“Leedy ’617 patent”), entitled “*Three Dimensional Structure Memory*,” owned by Elm 3DS Innovations, LLC (attached as Ex. 4);
- (e) U.S. Patent No. 8,629,542 (“Leedy ’542 patent”), entitled “*Three Dimensional Structure Memory*,” owned by Elm 3DS Innovations, LLC (attached as Ex. 5);
- (f) U.S. Patent No. 8,653,672 (“Leedy ’672 patent”), entitled “*Three Dimensional Structure Memory*,” owned by Elm 3DS Innovations, LLC (attached as Ex. 6);
- (g) U.S. Patent No. 8,791,581 (“Leedy ’581 patent”), entitled “*Three Dimensional Structure Memory*,” owned by Elm 3DS Innovations, LLC (attached as Ex. 7);
- (h) U.S. Patent No. 8,796,862 (“Leedy ’862 patent”), entitled “*Three Dimensional Structure Memory*,” owned by Elm 3DS Innovations, LLC (attached as Ex. 8);
- (i) U.S. Patent No. 8,841,778 (“Leedy ’778 patent”), entitled “*Three Dimensional Memory Structure*,” owned by Elm 3DS Innovations, LLC (attached as Ex. 9);
- (j) U.S. Patent No. 8,907,499 (“Leedy ’499 patent”), entitled “*Three Dimensional Structure Memory*,” owned by Elm 3DS Innovations, LLC (attached as Ex. 10);
- (k) U.S. Patent No. 8,928,119 (“Leedy ’119 patent”), entitled “*Three Dimensional Structure Memory*,” owned by Elm 3DS Innovations, LLC (attached as Ex. 11);
- (l) U.S. Patent No. 8,933,570 (“Leedy ’570 patent”), entitled “*Three Dimensional Structure Memory*,” owned by Elm 3DS Innovations, LLC (attached as Ex. 12).

2. The Elm 3DS Patents cover foundational semiconductor technologies in the design and manufacture of three-dimensional integrated circuits such as memory, processors, and image sensors. These fundamental technologies reduce manufacturing costs while improving speed and efficiency. Among other things, the Elm 3DS Patents disclose technologies that enable semiconductor manufacturers to stack multiple integrated circuits (“die”) on top of one another within one integrated circuit package, and to form interconnect circuitry for communication among

the stacked die, including interconnect circuitry passing through silicon substrates in stacked integrated circuits.

3. Micron has infringed and continues to infringe the Elm 3DS Patents, directly and indirectly, by making, using, selling, offering for sale, and/or importing into the United States, semiconductor products with multiple stacked die and/or electronics products containing the same; and by encouraging third parties to use, sell, offer for sale, and/or import into the United States, Micron semiconductor products with multiple stacked die and/or electronics products containing the same, with knowledge of the Elm 3DS Patents and in the infringement resulting therefrom.

### **THE PARTIES**

4. Elm 3DS Innovations, LLC is a Delaware limited liability company with its principal address at 26147 Carmelo Street, Carmel, California 93923. Elm 3DS owns patents, originally issued to its President, inventor Glenn J. Leedy, covering Mr. Leedy's groundbreaking technology for thinning, vertically stacking and interconnecting integrated circuits.

5. Micron Technology, Inc. ("MTI") is a Delaware corporation with its principal place of business at 8000 S. Federal Way, Boise, Idaho. On information and belief, MTI is a global leader in advanced memory and semiconductor technologies. On information and belief, MTI designs, manufactures, has manufactured, uses, offers for sale, sells and/or imports into the United States—including into Delaware—billions of dollars of memory and semiconductor technologies each year

6. Micron Semiconductor Products, Inc. ("MSP") is an Idaho corporation with its principal place of business in Boise, Idaho. On information and belief, MSP is a wholly-owned subsidiary of MTI. On information and belief, MSP manufactures, has manufactured, uses, offers for sale, sells and/or imports into the United States—including into Delaware—various semiconductor devices, including DRAM, DRAM modules, NAND flash, NOR flash, and phase change memory.

7. Micron Consumer Products Groups, Inc. (“MCPG”) is a Delaware corporation with its principal place of business at 47300 Bayside Parkway, Fremont, California 94538. On information and belief, MCPG is a wholly-owned subsidiary of MTL. On information and belief, MCPG manufactures, has manufactured, uses, offers for sale, sells and/or imports into the United States—including into Delaware—various memory products for digital devices, including memory cards, SD cards, microSD cards, CompactFlash cards, CFast cards, XQD cards, and Memory Stick PRO Duo cards, as well as Image Rescue software to recover photo and video files from memory cards; card readers; USB flash drives and multipacks; and OEM products.

### **JURISDICTION**

8. This is an action for patent infringement, over which this Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

9. This Court has personal jurisdiction over each of the Defendants consistent with the requirements of the Due Process Clause of the United States Constitution and/or the Delaware Long Arm Statute. On information and belief, each Defendant transacts substantial business in Delaware, and/or has committed and continues to commit acts of patent infringement in Delaware as alleged in this Complaint. In addition, Micron Technology, Inc. and Micron Consumer Products Group, Inc. are incorporated under the laws of Delaware. Further, on information and belief, the Defendants have admitted or not contested proper personal jurisdiction in this District in other patent infringement actions.

### **VENUE**

10. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391 (b)-(d) and 1400(b) because Defendants are subject to personal jurisdiction in this District, each has committed acts of patent infringement in this District, each has purposefully availed itself of the rights and benefits of Delaware law and regularly does and solicits business in Delaware, and each derives substantial

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