

Exhibit 3

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

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

Plaintiff,

v.

SK HYNIX INC., a Korean corporation,
SK HYNIX AMERICA INC., a California
corporation,
HYNIX SEMICONDUCTOR
MANUFACTURING AMERICA INC., a
California corporation, and
SK HYNIX MEMORY SOLUTIONS
INC., a Delaware corporation,

Defendants.

C.A. No. 1:14-cv-01432-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 SK hynix Inc., and its U.S. subsidiaries and related entities SK hynix America Inc., Hynix Semiconductor Manufacturing America Inc., and SK hynix Memory Solutions Inc. (individually or collectively “Defendants” or “Hynix”) 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 Exhibit 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 Exhibit 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 Exhibit 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 Exhibit 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 Exhibit 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 Exhibit 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 Exhibit 7);
- (h) U.S. Patent No. 8,796,862 (“Leedy ’862 patent”), entitled “Three Dimensional Memory Structure,” owned by Elm 3DS Innovations, LLC (attached as Exhibit 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 Exhibit 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 Exhibit 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 Exhibit 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 Exhibit 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. Hynix 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, Hynix 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. SK hynix Inc. is a Korean corporation with its principal place of business at 2091, Gyeongchung-daero, Bubal-eub, Icheon-si, Gyeonggi-do, Republic of Korea. On information and belief, SK hynix Inc. previously did business under the name “Hynix Semiconductor Inc.” On information and belief, SK hynix Inc. is a global leader in producing semiconductor products, such as DRAM and NAND flash and System IC including CMOS Image Sensors. On information and belief, SK hynix Inc. 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. SK hynix America Inc. is a California corporation with its principal place of business at 3101 North First Street, San Jose, CA 95134. On information and belief, SK hynix America Inc. is a subsidiary of SK hynix Inc. On information and belief, SK hynix America Inc. previously did business under the name “Hynix Semiconductor America Inc.” On information and belief, SK hynix America Inc. develops, distributes, markets, manufactures, has manufactured, uses, offers for sale, sells and/or imports into the United States—including into Delaware— memory and logic types of semiconductors, flash memory devices, application-specific integrated circuits, liquid crystal displays, and wireless communications systems, as well as flash drives for MP3 players, video- game consoles, mobile phones, and other consumer electronics.

7. Hynix Semiconductor Manufacturing America Inc. (“HSMA”) is a California corporation with its principal place of business at 3101 North First Street, San Jose, CA 95134. On information and belief, HSMA is a wholly-owned subsidiary of SK hynix Inc. On information and belief, HSMA manufactures, has manufactured, uses, offers for sale, sells and/or imports into the United States—including into Delaware— dynamic random access memory chips.

8. SK hynix Memory Solutions Inc. is a Delaware corporation with its principal place of business at 3101 North First Street, San Jose, CA 95134. On information and belief, SK hynix Memory Solutions is a wholly-owned subsidiary of SK hynix Inc. On information and belief, SK hynix Memory Solutions Inc. develops, manufactures, has manufactured, uses, offers for sale, sells and/or imports into the United States—including into Delaware— custom system-on-chip solutions for peripheral data storage devices and provides solutions for NAND flash controllers and solid-state-drive controllers.

JURISDICTION

9. 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).

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