

EXHIBIT 2006

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

ERICSSON INC., et al.,	)	Case No. 6:10-CV-473-LED
	)	
Plaintiffs,	)	JURY TRIAL DEMANDED
	)	
v.	)	
	)	
D-LINK SYSTEMS, INC., et al.,	)	
	)	
Defendants	)	
	)	
and	)	
	)	
INTEL CORPORATION,	)	
	)	
Intervenor	)	
	)	

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**INTEL CORPORATION'S COMPLAINT IN INTERVENTION**

On May 4, 2012, the Court partially granted and partially denied Intel Corporation's Partially Unopposed Motion to Intervene. In partially granting and partially denying Intel's motion, the Court stated:

The Court, having considered Intel Corporation's Partially Opposed Motion to Intervene, which motion is partially opposed by Ericsson, finds the Motion should be GRANTED except as to any products sold to any non-Defendant. IT IS THEREFORE ORDERED that Intel's Motion is hereby granted in part.

In accordance with and subject to that Order, Intel Corporation files its Complaint in Intervention.

### **COMPLAINT**

1. Intel Corporation ("Intel") for its Complaint in Intervention against Ericsson Inc. and Telefonaktiebolaget LM Ericsson (collectively, "Ericsson"), hereby demands a jury trial and alleges as follows:

#### **NATURE OF THE ACTION**

2. This is an action for declaratory judgment of non-infringement and invalidity of seven (7) United States Patents pursuant to the Declaratory Judgment Act, 28 U.S.C. §§ 2201-02, and the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*, and for such other relief as the Court deems just and proper.

3. Intel further brings this action for breach of Ericsson's contractual obligations and other commitments to the Institute of Electrical and Electronics Engineers Standards Association ("IEEE") and to Intel and other parties in relation to the 802.11 wireless standards. Ericsson has violated its promises and obligations by, without limitation, failing to negotiate with or license entities under the patents Ericsson claims are "essential" to at least 802.11a, 802.11g, and 802.11n on fair, reasonable, and non-discriminatory terms.

### **PARTIES**

4. Intel is a Delaware Corporation with its worldwide headquarters in Santa Clara, California.

5. Upon information and belief, Plaintiff and Defendant-in-Intervention Ericsson Inc. is a Delaware corporation with its principal place of business at 6300 Legacy Drive, Plano, Texas 75024.

6. Upon information and belief, Plaintiff and Defendant-in-Intervention Telefonaktiebolaget LM Ericsson is a corporation organized under the laws of Sweden with its principal place of business at Torshamnsgatan 23, Kista, 164 83 Stockholm, Sweden.

### **JURISDICTION AND VENUE**

7. This action arises under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*, and the Declaratory Judgment Act, 28 U.S.C. §§ 2201(a) and 2202. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1338(a), 2201, and 2202.

8. This Court has supplemental jurisdiction over Intel's state-law claims under 28 U.S.C. § 1367.

9. This Court has jurisdiction over Ericsson by virtue of, *inter alia*, its filing of the Complaint in this action.

10. To the extent that venue over Ericsson's complaint is found to be proper, venue in this judicial district over Intel's Complaint in Intervention is proper pursuant to 28 U.S.C. §§ 1391(b) and (c), although venue would be more convenient in another forum.

### **BACKGROUND AND INTEL'S INTEREST IN THIS LAWSUIT**

11. On September 14, 2010, Ericsson filed a complaint against, *inter alia*, Acer, Inc., Acer America Corporation (collectively, "Acer") and Gateway, Inc. ("Gateway") for infringement of U.S. Patent Nos. 5,790,516 ("the '516 patent"), 5,987,019 ("the '019 patent"),

6,466,568 (“the ’568 patent”), 6,330,435 (“the ’435 patent”), 6,424,625 (“the ’625 patent”), 6,772,215 (“the ’215 patent”), and 6,519,223 (“the ’223 patent”) (collectively referred to herein as the “Patents”).

12. On June 8, 2011, Ericsson filed an Amended Complaint against, *inter alia*, Acer and Gateway, as well as Dell, Inc. (“Dell”) and Toshiba Corporation, Toshiba America, Inc., Toshiba America Information Systems, Inc., and Toshiba America Consumer Products, LLC (collectively, “Toshiba”) for infringement of the Patents. Acer, Gateway, Dell, and Toshiba are collectively referred to herein as the Customer Defendants.

13. In this action, Ericsson asserts the Patents against products containing wireless functionality relating to certain standards promulgated by the IEEE referred to as 802.11. Ericsson’s infringement contentions and related discovery further identify particular Wi-Fi components that Intel supplies to the Customer Defendants as providing 802.11 functionality in the accused products. On information and belief, Ericsson has thus specifically identified Intel 802.11 components as those relevant to their accusations against the Customer Defendants.

14. Intel has agreed to requests from the Customer Defendants to defend and partially indemnify them in connection with Ericsson’s claims directed at Intel’s 802.11 products. As a result, Intel has a direct and substantial interest in the outcome of this litigation.

15. Subject to the Court’s May 4, 2012 Order as noted above, Intel has not infringed and does not infringe, either directly or indirectly, any valid or enforceable claim of any of the Patents, either literally or under the doctrine of equivalents.

16. A substantial controversy exists between Intel and Ericsson that is of sufficient immediacy and reality to warrant declaratory relief. By intervening in this action, Intel seeks the

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