

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

MASSACHUSETTS INSTITUTE OF
TECHNOLOGY,

Plaintiff,

v.

MICRON TECHNOLOGY, INC., APPLE INC.,
ELPIDA MEMORY, INC., MICRON MEMORY
JAPAN, INC., ELPIDA MEMORY USA, INC.,

Defendants.

Civil Action No. 1:15-cv-10374-FDS

**DEFENDANT MICRON MEMORY JAPAN, INC.'S ANSWER TO AMENDED
COMPLAINT**

Defendant Micron Memory Japan, Inc. (“MMJ” or “Defendant”), by its undersigned attorneys, hereby answers the Amended Complaint for Patent Infringement (D.E. 35) filed April 26, 2015, by Plaintiff Massachusetts Institute of Technology (“MIT”).

ANSWER

NATURE OF THE ACTION

1. MMJ admits that this purports to be an action for patent infringement arising under the federal patent statutes, 35 U.S.C. §§ 1, *et seq.*
2. MMJ admits that Exhibit A to the Amended Complaint purports to be a copy of United States Patent No. 6,057,221 (“the ’221 patent”), and that the ’221 patent on its face is entitled “Laser-Induced Cutting of Metal Interconnect,” identifies an issue date of May 2, 2000, and identifies the inventors as Joseph B. Bernstein and Zhihui Duan. MMJ further admits that

MIT EXHIBIT 2013
Micron v. MIT
IPR2015-01087

Exhibit A purports to include both a Certificate of Correction and an Ex Parte Reexamination Certificate (“Reexam Certificate”), and that the Reexam Certificate identifies on its face that the certificate issued on September 11, 2012, and that the certificate number is US 6,057,221 C1. MMJ further admits that Exhibit B to the Amended Complaint purports to be a copy of an Assignment for the ’221 patent. MMJ is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations stated in this paragraph, and therefore denies them.

3. MMJ denies the allegations of this paragraph directed to MMJ. MMJ is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations stated in this paragraph, and therefore denies them.

4. Denied.

PARTIES

5. MMJ is without knowledge or information sufficient to form a belief as to the truth of the allegations stated in this paragraph, and therefore denies them.

6. MMJ admits that Defendant Micron Technology, Inc. is a corporation organized and existing under the laws of the State of Delaware having a place of business at 8000 S. Federal Way, Boise, Idaho 83716. MMJ is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations stated in this paragraph, and therefore denies them.

7. MMJ admits that it is a corporation having a place of business at Sumitomo Seimei Yaesu Bldg. 3F, 2-1 Yaesu 2-chome, Chuo-ku, Tokyo 104-0028, Japan. MMJ further admits that it is a wholly-owned subsidiary of Micron Technology, Inc. MMJ denies the remaining allegations of this paragraph.

8. MMJ admits that Micron Memory Taiwan Co., Ltd. and Micron Akita, Inc. manufacture DRAM semiconductors. MMJ denies the remaining allegations of this paragraph directed to MMJ. MMJ is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations stated in this paragraph, and therefore denies them.

9. MMJ admits that, until May 2014, Defendant Elpida Memory USA, Inc. was a corporation organized and existing under the laws of the State of Delaware having a place of business at 1175 Sonora Court, Sunnyvale, California 94086. MMJ further admits that, to the extent it still exists, Elpida Memory USA, Inc. is a wholly-owned subsidiary of Micron Technology, Inc. MMJ denies the remaining allegations stated in this paragraph.

10. MMJ denies the allegations of this paragraph directed to MMJ. MMJ is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations stated in this paragraph, and therefore denies them.

JURISDICTION AND VENUE

11. MMJ admits that this action purports to arise under the federal patent statutes, 35 U.S.C. § 271 *et seq.*, and that this Court has subject matter jurisdiction over this action. MMJ denies the remaining allegations stated in this paragraph.

12. MMJ denies the allegations of this paragraph directed to MMJ. MMJ is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations stated in this paragraph, and therefore denies them.

13. MMJ denies the allegations of this paragraph directed to MMJ. MMJ is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations stated in this paragraph, and therefore denies them.

14. MMJ denies the allegations of this paragraph directed to MMJ. MMJ is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations stated in this paragraph, and therefore denies them.

15. MMJ denies the allegations of this paragraph directed to MMJ. MMJ is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations stated in this paragraph, and therefore denies them.

16. MMJ denies the allegations of this paragraph directed to MMJ. MMJ is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations stated in this paragraph, and therefore denies them.

17. MMJ is without knowledge or information sufficient to form a belief as to the truth of the allegations stated in this paragraph, and therefore denies them.

18. MMJ admits that this is a judicial district in which this action may be brought but denies that this venue is convenient or proper. MMJ denies the remaining allegations of this paragraph.

CLAIMS AND COUNTS

19. MMJ denies the allegations of this paragraph directed to MMJ. MMJ is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations stated in this paragraph, and therefore denies them.

20. MMJ denies the allegations of this paragraph directed to MMJ. MMJ is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations stated in this paragraph, and therefore denies them.

21. MMJ denies the allegations of this paragraph directed to MMJ. MMJ is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations stated in this paragraph, and therefore denies them.

22. MMJ is without knowledge or information sufficient to form a belief as to the truth of the allegations stated in this paragraph, and therefore denies them.

23. MMJ denies the allegations of this paragraph directed to MMJ. MMJ is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations stated in this paragraph, and therefore denies them.

24. Denied.

25. MMJ is without knowledge or information sufficient to form a belief as to the truth of the allegations stated in this paragraph, and therefore denies them.

COUNT ONE
(MIT vs. Micron)

26. MMJ re-alleges and incorporates herein its responses to paragraphs 1-25 and 29-37 (Counts 2-4).

27. MMJ denies the allegations of this paragraph directed to MMJ. MMJ is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations stated in this paragraph, and therefore denies them.

28. MMJ denies the allegations of this paragraph directed to MMJ. MMJ is without knowledge or information sufficient to form a belief as to the truth of the remaining allegations stated in this paragraph, and therefore denies them.

COUNT TWO
(MIT vs. Micron Japan)

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