

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

PACT XPP SCHWEIZ AG

Plaintiff,

v.

INTEL CORPORATION

Defendant.

Case No. \_\_\_\_\_

**JURY TRIAL DEMANDED**

**COMPLAINT**

Plaintiff PACT XPP Schweiz AG, for its Complaint against Intel Corporation (“Intel” or “Defendant”), hereby alleges as follows:

**PARTIES**

1. Plaintiff PACT XPP Schweiz AG is a Swiss corporation, with its principal place of business in Switzerland. PACT XPP Schweiz AG is the assignee of all patents identified in this Complaint including all rights to sue for past and future damages for infringement of said patents.

2. Upon information and belief, Intel is a Delaware corporation with its corporate headquarters in Santa Clara, California and manufacturing facilities in Oregon, Arizona, New Mexico, Massachusetts, and numerous other countries.

3. Intel, founded in 1968, has over an 80% market share in computer processor technology, and over \$70 Billion in revenues producing \$29.4 Billion of cash from operations and returned nearly \$16.3 Billion to shareholders in 2018 based on a gross profit margin of 61.7% of revenues. Intel’s two major operating segments are the PC Client Group, which produced over \$37 Billion in revenue for 2018 and focuses on the processors found in consumer-

and other core processors with the microarchitectures of Sandy Bridge, Ivy Bridge, Haswell, Broadwell, Skylake, Kaby Lake, Coffee Lake, Cannon Lake, Ice Lake, and above.

34. The Accused Xeon Instrumentalities are Intel Xeon processors with Sandy Bridge and above microarchitectures, including, but not limited to, E3, E5, E7, and other Xeon processors with the microarchitectures of Sandy Bridge, Ivy Bridge, Haswell, Broadwell, Skylake, Kaby Lake, and above.

35. Other accused instrumentalities include the Accused Turbo Boost Instrumentalities, the Accused Turbo Boost 3.0 Instrumentalities, the Accused Stacking Instrumentalities, and the Accused '505 Instrumentalities as defined and discussed in corresponding sections below.

**COUNT I – INFRINGEMENT OF U.S. PATENT NO. 7,928,763**

36. PACT incorporates each of the above paragraphs 1-35 as though fully set forth herein.

37. PACT is informed and believes, and thereon alleges, that Intel has infringed and unless enjoined will continue to infringe one or more claims of the '763 Patent, in violation of 35 U.S.C. § 271, by, among other things, making, using (including testing), offering to sell, and selling within the United States, supplying or causing to be supplied in or from the United States, and importing into the United States, without authority or license, Intel products with the infringing features, including the Accused Core Instrumentalities and the Accused Xeon Instrumentalities.

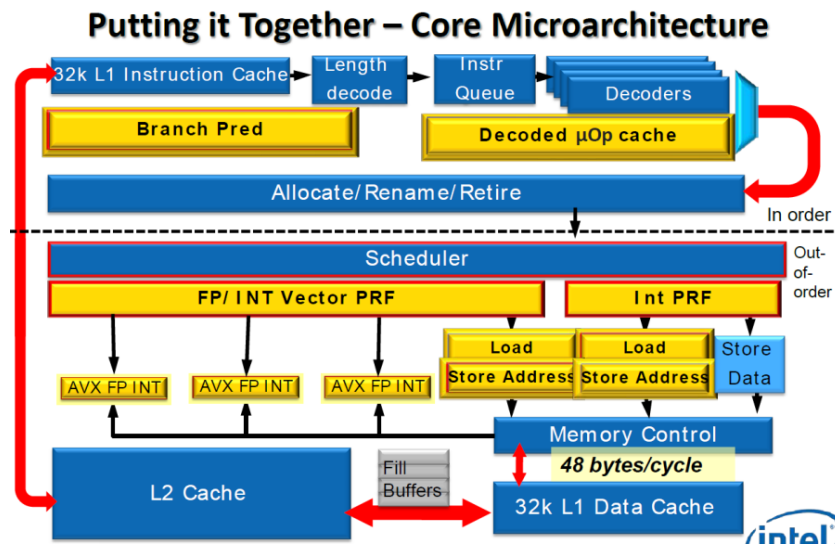
38. For example, the Accused Core Instrumentalities and the Accused Xeon Instrumentalities embody every limitation of at least claim 1 of the '763 Patent, literally or under the doctrine of equivalents, as set forth below. The further descriptions below, which are based on publicly available information, are preliminary examples and are non-limiting.

***“A multi-processor chip, comprising”***

39. The Accused Core Instrumentalities and the Accused Xeon Instrumentalities are multi-core processors, and hence, a multi-processor chip.

***“a plurality of data processing cells, each adapted for sequentially executing at least one of algebraic and logic functions and having”***

40. The Accused Core Instrumentalities and the Accused Xeon Instrumentalities include a plurality of cores, each of which is adapted for sequentially executing at least one of algebraic and logic functions as shown in the figure below:



***“at least one arithmetic logic unit; at least one data register file; a program pointer; and at least one instruction decoder”***

41. The Accused Core Instrumentalities and the Accused Xeon Instrumentalities include multi-core processors further including multiple ALUs, general purpose registers, instruction pointer, and decoders, thus, including the recited arithmetic logic unit, at least one data register file, a program pointer, and at least one instruction decoder.

***“a plurality of memory cells”***

42. The Accused Core Instrumentalities and the Accused Xeon Instrumentalities include Last Level Caches that constitute a plurality of memory cells.

***“at least one interface unit”***

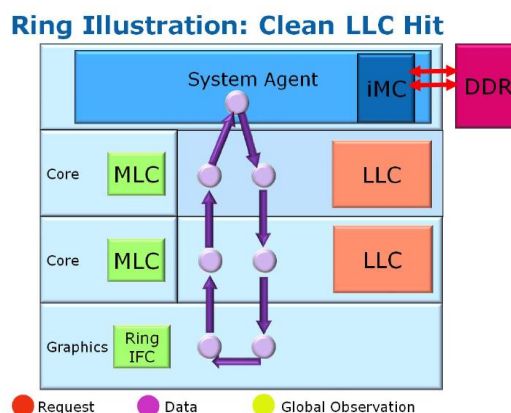
43. The Accused Core Instrumentalities and the Accused Xeon Instrumentalities include a System Agent and/or components within or connected or attached to the System Agent and/or the Last Level Caches (such as cache box) that constitute at least one interface unit.

***“at least one Memory Management Unit (MMU); and”***

44. The Accused Core Instrumentalities and the Accused Xeon Instrumentalities include memory management functionalities, and thus, at least one Memory Management Unit (MMU).

***“a bus system for interconnecting the plurality of data processing cells, the plurality of memory cells, and the at least one interface unit, wherein the bus system is adapted for programmably interconnecting at runtime at least one of data processing cells and memory cells with at least one of memory cells and one or more of the at least one interface unit.”***

45. The Accused Core Instrumentalities and the Accused Xeon Instrumentalities include a ring bus system (or equivalents) programmably interconnecting at runtime the cores, the LLCs and/or the interface unit identified above as shown in the figure below:



46. In violation of 35 U.S.C. § 271, Intel has infringed and is currently infringing, directly and/or through intermediaries, the '763 Patent by making, using, selling, offering for sale, and/or importing into the United States, without authority, products that practice at least claim 1 of the '763 Patent. These products include the Accused Core Instrumentalities and the Accused Xeon Instrumentalities, and any other products that incorporate the Accused Core Instrumentalities and the Accused Xeon Instrumentalities. Intel has infringed and is currently infringing literally and/or under the doctrine of equivalents.

47. On information and belief, PACT asserts that Intel was aware of this patent before this lawsuit was filed, and at least as of the service of this Complaint, Intel had actual knowledge of its infringement of the '763 Patent.

48. PACT is informed and believes, and thereon alleges, that Intel, subsequent to the time it first learned of the '763 Patent and at least as of the time of service of this Complaint, specifically intended to induce patent infringement by third-party original equipment manufacturers (OEMs), customers, and users of the Accused Core Instrumentalities and the Accused Xeon Instrumentalities and had knowledge that the inducing acts would cause infringement or is willfully blind to the possibility that their inducing acts would cause infringement. Intel has sold and continues to sell the Accused Core Instrumentalities and the Accused Xeon Instrumentalities to OEMs making OEM products (*e.g.*, computers, servers, laptops, tablets, etc.), knowing that the Accused Core Instrumentalities and the Accused Xeon Instrumentalities will be included in the OEM products and sold to customers in the United States in violation of U.S. patent law, and/or to original design manufacturers (ODMs), knowing that the Accused Core Instrumentalities and the Accused Xeon Instrumentalities will ultimately be included in OEM products and sold to customers in the United States.

# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

Our comprehensive service means we can handle Federal, State, and Administrative courts across the country.

## Advanced Docket Research



With over 230 million records, Docket Alarm's cloud-native docket research platform finds what other services can't. Coverage includes Federal, State, plus PTAB, TTAB, ITC and NLRB decisions, all in one place.

Identify arguments that have been successful in the past with full text, pinpoint searching. Link to case law cited within any court document via Fastcase.

## Analytics At Your Fingertips



Learn what happened the last time a particular judge, opposing counsel or company faced cases similar to yours.

Advanced out-of-the-box PTAB and TTAB analytics are always at your fingertips.

## API

Docket Alarm offers a powerful API (application programming interface) to developers that want to integrate case filings into their apps.

## LAW FIRMS

Build custom dashboards for your attorneys and clients with live data direct from the court.

Automate many repetitive legal tasks like conflict checks, document management, and marketing.

## FINANCIAL INSTITUTIONS

Litigation and bankruptcy checks for companies and debtors.

## E-DISCOVERY AND LEGAL VENDORS

Sync your system to PACER to automate legal marketing.