

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

MONTEREY RESEARCH, LLC,)	
)	
Plaintiff,)	
)	C.A. No. _____
v.)	
)	JURY TRIAL DEMANDED
ADVANCED MICRO DEVICES, INC.,)	
)	
Defendant.)	
)	

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Monterey Research, LLC (“Monterey”), for its Complaint for Patent Infringement against Defendant Advanced Micro Devices, Inc. (“AMD”), alleges as follows:

INTRODUCTION

1. Monterey is an intellectual property and technology licensing company. Monterey’s patent portfolio comprises over 2,700 active and pending patents worldwide, including approximately 2,000 active United States patents. Monterey’s patent portfolio stems from technology developed by a number of leading high-technology companies, including Cypress Semiconductor Corporation, Fujitsu, NVX Corporation, and Ramtron. Those companies developed key innovations that have greatly enhanced the capabilities of computer systems, increased electronic device processing power, and reduced electronic device power consumption. Among other things, those inventions produced significant technological advances, including smaller, faster, and more efficient semiconductors and integrated circuits.

2. AMD infringes Monterey’s patents by making, using, selling, offering for sale, and/or importing products (including importing products made by a patented process) throughout the United States, including within this District. A

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Qualcomm Incorporated v. Monterey Research, LLC
IPR2020-01492

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INTRODUCTION

1. Monterey is an intellectual property and technology licensing company. Monterey’s patent portfolio comprises over 2,700 active and pending patents worldwide, including approximately 2,000 active United States patents. Monterey’s patent portfolio stems from technology developed by a number of leading high-technology companies, including Cypress Semiconductor Corporation, Fujitsu, NVX Corporation, and Ramtron. Those companies developed key innovations that have greatly enhanced the capabilities of computer systems, increased electronic device processing power, and reduced electronic device power consumption. Among other things, those inventions produced significant technological advances, including smaller, faster, and more efficient semiconductors and integrated circuits.

2. AMD infringes Monterey’s patents by making, using, selling, offering for sale, and/or importing products (including importing products made by a patented process) throughout the United States, including within this District. AMD’s customers incorporate those products into downstream products that are made, used, sold, offered for sale, and/or imported throughout the United States,

including within this District. Those downstream products include, but are not limited to, motherboards, desktop computers, servers, laptop computers, videogame consoles, and other products that include AMD semiconductor devices and integrated circuits.

3. AMD has infringed and continues to infringe Monterey's patents. AMD has thus far refused to license those patents and, instead, has continued to make, use, sell, offer to sell, and/or import Monterey's intellectual property within the United States without Monterey's permission.

NATURE OF THE CASE

4. This action arises under 35 U.S.C. § 271 for AMD's infringement of Monterey's United States Patent Nos. 6,534,805 ("the '805 patent"); 6,629,226 ("the '226 patent"); 6,651,134 ("the '134 patent"); 6,765,407 ("the '407 patent"); 6,961,807 ("the '807 patent"); and 8,373,455 ("the '455 patent") (collectively, "the Patents-in-Suit").

THE PARTIES

5. Plaintiff Monterey is a Delaware limited liability company with offices in New Jersey and California. Monterey maintains a registered agent for service in Delaware: Intertrust Corporate Services Delaware Ltd. located at 200 Bellevue Parkway, Suite 210, Wilmington, Delaware 19808.

6. Defendant AMD is a Delaware corporation with a principal place of business at 2485 Augustine Drive, Santa Clara, California 95054. AMD is a publicly traded company that may be served through its registered agent for service, The Corporation Trust Company, 1209 Orange Street, Wilmington, Delaware 19801.

JURISDICTION AND VENUE

7. This Court has jurisdiction over the subject matter of this action under 28 U.S.C. §§ 1331 and 1338(a) at least because this action arises under the patent laws of the United States, including 35 U.S.C. § 271 *et seq.*

8. Personal jurisdiction exists over AMD at least because AMD is a Delaware corporation organized under the laws of the State of Delaware. AMD also has a registered agent for service of process in Delaware. In addition, AMD has committed, aided, abetted, contributed to, and/or participated in the commission of acts of infringement giving rise to this action within the State of Delaware by, *inter alia*, directly and/or indirectly making, using, selling, offering for sale, importing products, and/or practicing methods that practice one or more claims of the Patents-in-Suit. Furthermore, AMD has transacted and conducted business in the State of Delaware and with Delaware residents by making, using, selling, offering to sell, and/or importing (including importing products made by a patented process) products and instrumentalities that practice one or more claims of the Patents-in-Suit. Among other things, AMD, directly and/or through intermediaries, uses, sells, ships, distributes, imports into, offers for sale, and/or advertises or otherwise promotes its products throughout the United States, including in the State of Delaware. *See, e.g.*, www.amd.com/en. At least for those reasons, AMD has the requisite minimum contacts within the forum such that the exercise of jurisdiction over AMD would not offend traditional notions of fair play and substantial justice.

9. Venue is proper in this Court pursuant to 28 U.S.C. §§ 1391(b) and (c) and 1400(b). AMD resides in this district and has committed acts of infringement in this district. AMD has committed acts of infringement in this district by, among other things, selling and offering for sale in this district (and elsewhere) infringing products made, used, developed, tested, and otherwise practiced by AMD. Venue is further proper based on the facts alleged in the preceding paragraphs, which Monterey incorporates by reference as if fully set forth herein.

THE PATENTS-IN-SUIT

10. Monterey incorporates by reference the preceding paragraphs as if fully set forth herein.

A. U.S. Patent No. 6,534,805

11. The '805 patent, titled "SRAM Cell Design," was duly and properly issued by the United States Patent and Trademark Office ("USPTO") on March 18, 2003. On October 14, 2014, the USPTO issued an Ex Parte Reexamination Certificate for the '805 patent, which confirmed the patentability of the '805 patent. A true and correct copy of the '805 patent and the Ex Parte Reexamination Certificate for the '805 patent is attached hereto as Exhibit A.

12. Monterey is the owner and assignee of the '805 patent; owns all right, title, and interest in the '805 patent; and holds the right to sue and recover damages for infringement thereof, including past infringement.

B. U.S. Patent No. 6,629,226

13. The '226 patent, titled "FIFO Read Interface Protocol," was duly and properly issued by the USPTO on September 30, 2003. A true and correct copy of the '226 patent is attached hereto as Exhibit B.

14. Monterey is the owner and assignee of the '226 patent; owns all right, title, and interest in the '226 patent; and holds the right to sue and recover damages for infringement thereof, including past infringement.

C. U.S. Patent No. 6,651,134

15. The '134 patent, titled "Memory Device with Fixed Length Non Interruptible Burst," was duly and properly issued by the USPTO on November 18, 2003. A true and correct copy of the '134 patent is attached hereto as Exhibit C.

16. Monterey is the owner and assignee of the '134 patent; owns all right, title, and interest in the '134 patent; and holds the right to sue and recover damages for infringement thereof, including past infringement.

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