UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

Ocean Semiconductor LLC, Plaintiff v. MediaTek Inc. and MediaTek USA Inc. ("MediaTek"), Defendant.	Civil Action No.: 6:20-cv-1210 JURY TRIAL DEMANDED PATENT CASE

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Ocean Semiconductor LLC ("Ocean Semiconductor" or "Plaintiff") files this Complaint against MediaTek Inc. and MediaTek USA Inc. ("MediaTek USA") (collectively "MediaTek" or "Defendant"), seeking damages and other relief for patent infringement, and alleges with knowledge to its own acts, and on information and belief as to other matters, as follows:

NATURE OF THE ACTION

1. This is an action for patent infringement arising under the Patent Laws of the United States, 35 U.S.C. § 1 *et seq.*

THE PARTIES

2. Plaintiff Ocean Semiconductor is a limited liability company organized and existing under the laws of the State of Delaware, with its principal place of business at 717 N. Union Street, Wilmington, DE 19805.

3. On information and belief, Defendant MediaTek Inc. is a corporation organized under the law of Taiwan, with its principal place of business at No. 1, Dusing 1st Road, Hsinchu Science Park, Hsinchu, 20078, Taiwan.

4. On information and belief, Defendant MediaTek USA, Inc. is a Delaware corporation with a principal place of business at 5914 West Courtyard Drive, Austin, Texas 78730. On information and belief, MediaTek USA may be served through its registered agent, CT Corporation System, at 1999 Bryan Street, Suite 900, Dallas, Texas 75201.

5. Plaintiff Ocean Semiconductor is the assignee and owner of the patents at issue in this action: U.S. Patents Nos. 6,660,651, 6,907,305, 6,725,402, 6,968,248, 7,080,330, 6,836,691, and 8,676,538 (collectively, the "Asserted Patents"). Ocean Semiconductor holds all substantial rights, title, and interest in the Asserted Patents, including the exclusive right to sue MediaTek for infringement and recover damages, including damages for past infringement.

6. Plaintiff Ocean Semiconductor seeks monetary damages and prejudgment interest for Defendant's past and ongoing direct and indirect infringement of the Asserted Patents.

7. Each Defendant, MediaTek Inc. and MediaTek USA, Inc. ("MediaTek"), is a semiconductor company that designs, develops, sells, offers to sell, and imports into the United States semiconductor products in the mobile devices, tablet products, internet of things devices, automotive devices, networking and broadband devices, and home devices industry ("Accused Products").

8. Defendant MediaTek, which has its own design centers in the United States (including a facility in Austin, Texas), contracts with third-party semiconductor fabricators or foundries ("MediaTek Foundry Partners") that own, operate, or control semiconductor fabrication plants ("fabs") within and/or outside of the United States ("International Facilities")

to produce the Accused Products. One such MediaTek Foundry Partner is United Microelectronics Corp. ("UMC"). *See, e.g.*, "Taiwan's UMC to scale down chip project with Chinese partner," *available at* https://asia.nikkei.com/Economy/Trade-war/Exclusive-Taiwan-s-UMC-to-scale-down-chip-project-with-Chinese-partner (last accessed October 12, 2020). Another MediaTek Foundry Partner is Taiwan Semiconductor Manufacturing Company Ltd. ("TSMC"). *See* "Better Chipset Fabrication = Better Performance and Efficiency," *available at* https://www.mediatek.com/innovations/fabrication-process-technology (last accessed October 12, 2020). Both UMC and TSMC have a contractual partnership with MediaTek to design, develop, or manufacture semiconductor products including integrated circuits for MediaTek.

9. On information and belief, Defendant MediaTek (directly or through one or more of its Foundry Partners such as UMC and TSMC) has a contractual relationship with Applied Materials, Inc. ("Applied Materials") (*see, e.g.*, UMC's YY Chen video, *available at* https://www.appliedmaterials.com/automation-software (last accessed October 12, 2020); *see also* Applied Materials' job posting for "TSMC F15 E3 project," *available at* http://www.mse.ntu.edu.tw/attachments/article/154/AMT_Summer%20Student%20Program_Job%20Post_2013.pdf (last accessed October 12, 2020); *see also* "MediaTek to transfer 28nm chip orders to UMC," *available at* https://www.digitimes.com/news/a20170724PD214.html (last visited Oct. 12, 2020); *see also* "BRIEF-UMC orders machinery equipment from Applied Materials' unit," *available at* https://www.reuters.com/article/brief-umc-orders-machinery-equipment-fro/brief-umc-orders-machinery-equipment-from-applied-materials-unit-idUKH9N1M601Z (last visited Oct. 12, 2020); *see also* "BRIEF-TSMC Orders Machinery Equipment Worth T$1.06 Billion From Applied Materials," *available at* https://www.reuters.com/article/brief-tsmc-orders-machinery-equipment-wo/brief-tsmc-orders-

machinery-equipment-worth-t1-06-billion-from-applied-materials-idUSS7N1QP04B (last visited Oct. 12, 2020)), and PDF Solutions Inc. ("PDF Solutions") (*e.g.*, "Taiwan Semiconductor Manufacturing Company adopts PDF Solutions yield improvement technology," *available at* https://www.edn.com/taiwan-semiconductor-manufacturing-company-adopts-pdf-solutions-yield-improvement-technology/ (last accessed Oct. 12, 2020); *see also* "Exensio: Big Data in the Fab," *available at* https://semiwiki.com/eda/4351-exensio-big-data-in-the-fab/ (last accessed Oct. 12, 2020), and one or more of the MediaTek Foundry Partners (e.g., UMC and/or TSMC) employ Applied Materials' semiconductor fabrication or manufacturing equipment, platforms, and/or framework, including Applied Materials' E3 system, including the E3 factory advanced/automation process control ("APC") platform hardware and/or software (collectively, "E3 system"), PDF Solutions' Exensio hardware and/or software (collectively, "Exensio system"), and/or other advanced/automation process control system and platform hardware and/or software to design, develop, and/or manufacture Defendant MediaTek's semiconductor devices, including integrated circuits.

10. Upon information and belief, UMC and/or TSMC employ Applied Materials' and/or PDF Solutions' semiconductor fabrication or manufacturing equipment, platforms, and/or framework (e.g., Applied Materials' E3 system and/or PDF Solutions' Exensio system) at their manufacturing facilities. Applied Materials has received supplier awards and recognition from UMC. *See, e.g.*, https://www.appliedmaterials.com/files/nanochip-journals/nanochip_v7_iss2_112912.pdf (last accessed October 12, 2020); *see also* https://www.appliedmaterials.com/nanochip/nanochip-technology-journal/july-2014 (last visited October 12, 2020); *see also* https://www.appliedmaterials.com/files/nanochip-journals/nanochip-fab-solutions-12-2014-revised.pdf (last accessed October 12, 2020). Applied Materials also has

received supplier awards and recognition from TSMC. *See, e.g.*, "TSMC Recognizes Outstanding Suppliers at Supply Chain Management Forum," *available at* https://pr.tsmc.com/english/news/1873 (last accessed October 12, 2020). On information and belief, TSMC also employs PDF Solutions' Exensio system at TSMC's manufacturing facilities.

11. On information and belief, Defendant MediaTek (directly or through its MediaTek Foundry Partners such as UMC and/or TSMC) employs Applied Materials' E3 system and/or PDF Solutions' Exensio system to design, develop or manufacture one or more systems, products, devices, and integrated circuits for importation into the United States for use, sale, and/or offer for sale in this District and throughout the United States, including, but not limited to, mobile devices (e.g., Helio G, Helio A, Helio P, Helio X, mid-range 4G devices, and Google Mobile Services express devices), tablet products (e.g., MiraVision), internet of things devices (e.g., i500, i350, i300A, i300B, MT3620, MT2625, MT2621, MT2601, MT2523G, MT2523D, MT2511, MT6280, MT2502, MT5931, MT3332, MT 2503, MT3333, MT3303, MT3337, and MT3339), automotive devices (e.g., Autus I20 (MT2712) devices, Autus R10 (MT2706) devices, and Autus T10 (MT2635) devices), networking and broadband devices (e.g., MediaTek T750 MT7688A, MT7628K/N/A, MT7623N/A, MT7622, MT7621A/N, MT7620N/A, RT3662, RT3883, MT7688K, MT5932, MT8167S, MT7686, MT7682, MT7697H/HD, MT7681, MT7687F, MT7697, MT7697D, MT7601E, MT7601U, MT7603E, MT7603U, MT7610E, MT7610U, MT7612E, MT7612U, MT7615, MT7615B, MT7615S, MT7662E, MT7662U, MT7668, RT3062, RT3070, RT3562, RT3573, RT3593, RT5370, RT5572, RT5592, MT3729, MT7601, MT7610, MT7630, RT5372, RT539x, RT8070, RT2870, RT2890, RT309x, RT3290, RT3370, RT3572, RT2070, RT2760, RT2770, RT2790, and RT2860), and home devices (e.g., MT8516 SoM, MT8516, MT8507, MT8502, MediaTek C4X Development Kit for Amazon

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