

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

OCEAN SEMICONDUCTOR LLC,

Plaintiff,

v.

**HUAWEI DEVICE USA, INC., HUAWEI
DEVICE CO., LTD., AND HISILICON
TECHNOLOGIES CO., LTD.,**

Defendants.

Civil Action No. 4:20-cv-991

DEMAND FOR JURY TRIAL

COMPLAINT FOR PATENT INFRINGEMENT

Plaintiff Ocean Semiconductor LLC (“Ocean Semiconductor” or “Plaintiff”) hereby alleges for its Complaint for patent infringement against Defendants Huawei Device USA Inc. (“Huawei USA”), Huawei Device Co., Ltd. (“Huawei Device”), and HiSilicon Technologies Co., Ltd. (“HiSilicon”) (collectively “Huawei” or “Defendant”) on personal knowledge as to its own actions and on information and belief as to the actions of others, 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 Huawei USA is a Texas corporation with its principal place of business in Plano, Texas. Huawei USA distributes, markets, and sells mobile devices, including smartphones in the United States. Upon information and belief, Defendant Huawei USA is authorized to do business in Texas and has a North American Headquarters located at 5700 Tennyson Parkway, Suite 300, Plano, Texas 75024. Huawei USA may be served through its registered agent CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201.

4. Defendant Huawei Device is a Chinese company with a principal place of business at 8 Shitou Road, North Area, Shenzhen, 518129, China. Huawei Device is involved in the design, development, manufacture, sale, and importation of the Accused Products. Huawei Device is a wholly-owned subsidiary of Huawei Device (Shenzhen) Co., Ltd.

5. Defendant HiSilicon is a Chinese company with its principal place of business in Bantian, Longgang District, Shenzhen, 518129, People's Republic of China. On information and belief, HiSilicon is a wholly owned subsidiary of Huawei Technologies Co. Ltd.

6. 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 Huawei for infringement and recover damages, including damages for past infringement.

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

8. Defendant Huawei is a semiconductor company that designs, develops, sells, offers to sell, and imports into the United States semiconductor products in the communications, internet of things, automotive, computer, and consumer electronics industry.

9. Defendant Huawei, with a regular and established place of business in Plano, Texas, contracts with third-party semiconductor fabricators or foundries (“Huawei 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 Huawei Foundry Partner is Taiwan Semiconductor Manufacturing Company Ltd. (“TSMC”). TSMC has a contractual partnership with Huawei to design, develop, or manufacture semiconductor products including integrated circuits for Huawei. *See, e.g.* “TSMC may speed Huawei chips supply,” *available at* <https://www.globaltimes.cn/content/1191071.shtml> (last visited Oct. 12, 2020); *see also* “TSMC gets license allowing it to ship chips to Huawei; however, there is a major caveat,” *available at* https://www.phonearena.com/news/tsmc-gets-license-allowing-it-to-ship-to-huawei_id127714 (last visited Oct. 12, 2020); “Huawei Report,” *available at* <https://huaweireport.com/5g-phone-balong-5000-chips/> (last visited Oct. 12, 2020).

10. On information and belief, Defendant Huawei (directly or through one or more of its Foundry Partners such as TSMC) has a contractual relationship with Applied Materials, Inc. (“Applied Materials”) (*see* 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) and PDF Solutions Inc. (“PDF Solutions”) (*e.g.*, “Taiwan Semiconductor Manufacturing Company adopts PDF Solutions yield improvement technology,” *available at* [**DOCKET**
ALARM](https://www.edn.com/taiwan-semiconductor-</p></div><div data-bbox=)

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 directly or through one or more of the Huawei Foundry Partners (e.g., TSMC) employs 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”) hardware and/or software (collectively, “E3 system”), PDF Solutions’ Exensio hardware and/or software (collectively, “Exensio system”), and/or other in-house or third-party advanced/automation process control system and platform hardware and/or software (e.g., with similar technical and functional features) to design, develop, and/or manufacture Defendant Huawei’s semiconductor devices, including integrated circuits.

11. Upon information and belief, TSMC employs 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 its manufacturing facilities. Applied Materials 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.

12. On information and belief, Defendant Huawei (directly or through its Huawei Foundry Partners such as TSMC) employs Applied Materials’ E3 system and/or PDF Solutions’ Exensio system to develop or manufacture one or more systems, products, and/or devices 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, semiconductor products and devices,

such as SoC chipsets and solutions (e.g., Hi3559A V100, Hi3519A V100, Hi3516D V300, Hi3556A V100, Hi3559 V200, Hi3559A V100, Hi3559C V100, Hi3559 V100, Hi3716M V430, Hi3716M V430, Hi3798C V200, Hi3798M V200H, Hi3798M V300, Hi3798M V310, Hi3796M V200, Hi3798M V200, Hi3796M V100, Hi3798M V100, Hi3716M V420, Hi3716M V410, and Hi3751 V553), processors (e.g., Hi3536, Hi3536C, Hi3536D V100, Hi3531D V100, Hi3521D V100, Hi3520D V400, Hi3520D V300, and Hi3520D V200), TV solutions (e.g., Hi3731 V201, Hi3731 V101, Hi3751 V811, Hi3751 V810, Hi3751 V551, Hi3751 V730, Hi3751 V620, Hi3751 V510, Hi3751 V310, Hi3751 V320, and Hi3751 V600), Kirin solutions (e.g., Kirin 9000/E, Kirin 1020, Kirin 990, Kirin 980, Kirin 970, Kirin 960, Kirin 950, Kirin 930, Kirin 920, Kirin 910, and Kirin 710); Ascend solutions (e.g., Ascend 310 and Ascend 910); Kunpeng solutions (e.g., Kunpeng 920); and Balong solutions (e.g., Balong 5000, Balong 5G01, Balong 765, Balong 750, Balong 720, Balong 710, and Balong 700), systems, products, or devices containing these solutions, and similar systems, products, devices, and integrated circuits (“Huawei APC Products”).

13. On information and belief, Defendant Huawei (directly or through its Huawei Foundry Partners such as TSMC) uses Applied Materials’ E3 system and/or PDF Solutions’ Exensio system to design, develop, or manufacture the Huawei APC Products for importation into the United States for use, sale, and/or offer for sale in this district and throughout the United States.

14. On information and belief, Defendant Huawei, directly and/or through one or more of the Huawei Foundry Partners (e.g., TSMC), employs camLine’s semiconductor fabrication or manufacturing solutions, including camLine’s LineWorks production automation solution (e.g., LineWorks eCap and LineWorks PULSE modules) (collectively, “LineWorks

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