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Attorneys for  
ON SEMICONDUCTOR CORP. and  
SEMICONDUCTOR COMPONENTS  
INDUSTRIES, LLC

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
(SAN JOSE DIVISION)

POWER INTEGRATIONS, INC.,

Plaintiff,

v.

ON SEMICONDUCTOR CORP. AND  
SEMICONDUCTOR COMPONENTS  
INDUSTRIES, LLC,

Defendants.

Case No. 16-cv-06371-BLF

**THIRD AMENDED COMPLAINT OF ON  
SEMICONDUCTOR CORP. AND  
SEMICONDUCTOR COMPONENTS  
INDUSTRIES, LLC FOR PATENT  
INFRINGEMENT AND DECLARATORY  
JUDGMENT**

**(DEMAND FOR TRIAL BY JURY)**

ON SEMICONDUCTOR CORP. AND  
SEMICONDUCTOR COMPONENTS  
INDUSTRIES, LLC,

Plaintiff,

v.

POWER INTEGRATIONS, INC.,

Defendants.

Case No. 17-cv-03189-BLF

1 ON Semiconductor Corporation and Semiconductor Components Industries, LLC  
2 (collectively, “ON”) brings this civil action against Power Integrations, Inc. (“Power Integrations”)  
3 and hereby avers and complains as follows:

4 **THE PARTIES**

5 1. ON Semiconductor Corporation is a Delaware corporation with its principal place of  
6 business at 5005 East McDowell Road, Phoenix, Arizona, 85008.

7 2. Semiconductor Components Industries, LLC is a Delaware limited liability company  
8 with its principal place of business at 5005 East McDowell Road, Phoenix, Arizona, 85008.

9 Semiconductor Components Industries, LLC is the principal domestic operating subsidiary of ON  
10 Semiconductor Corporation and does business under the name of ON Semiconductor. ON  
11 Semiconductor designs, manufactures, and markets a comprehensive portfolio of semiconductor  
12 products, including AC-DC controllers and regulators.

13 3. Power Integrations, Inc. (“Power Integrations”) is incorporated under the laws of the  
14 state of Delaware, and has a regular and established place of business at 5245 Hellyer Avenue, San  
15 Jose, California, 95138. Power Integrations may be served through its registered agent at 5245  
16 Hellyer Avenue, San Jose, California, 95138.

17 **JURISDICTION AND VENUE**

18 4. This action arises under the United States patent laws, 35 U.S.C. §§ 101, et seq.,  
19 and includes a request for declaratory relief under 28 U.S.C. §§ 2201 and 2202.

20 5. This Court has subject matter jurisdiction under 28 U.S.C. §§ 1331, 1338, and 2201,  
21 and 35 U.S.C. § 1, et seq.

22 6. Power Integrations is subject to general personal jurisdiction in this judicial district.  
23 This Court has personal jurisdiction over Power Integrations because Power Integrations has  
24 purposely availed themselves of the privilege of conducting activities within this State and judicial  
25 District. For example, Power Integrations maintains continuous and systematic contacts with this  
26 District, including maintaining its principal place of business in San Jose, California.

1 7. Power Integrations is subject to specific personal jurisdiction in this judicial district  
2 for its infringement of U.S. Patent No. 6,333,624, U.S. Patent No. 6,429,709, U.S. Patent No.  
3 RE39,933, U.S. Patent No. RE41,908, U.S. Patent No. RE45,862, U.S. Patent No. 6,597,221, U.S.  
4 Patent No. 7,944,272, and U.S. Patent No. 7,447,601 at least because Power Integrations has placed  
5 and continues to place the accused products into the stream of commerce that are sold in this  
6 district, and has therefore purposefully availed itself of the privilege of conducting business in this  
7 judicial district.

8 8. Power Integrations is also subject to specific personal jurisdiction in this judicial  
9 district for ON's declaratory judgment claims concerning U.S. Patent No. 6,249,876, at least  
10 because of Power Integrations's patent enforcement contacts with the jurisdiction, demonstrating  
11 that Power Integrations has purposefully availed itself of the privilege of conducting business in this  
12 judicial district.

13 9. Venue is proper in this district under each of 28 U.S.C. §§ 1391(b), 1391(c), and  
14 1400(b). Power Integrations has its principal place of business in this district and has committed  
15 acts of infringement in this district.

16 **INFRINGEMENT OF ON's PATENTS**

17 10. ON re-alleges and incorporates by reference each of Paragraphs 1-9 above.

18 11. After a full and fair examination, the United States Patent and Trademark Office  
19 duly and legally issued U.S. Patent No. 6,333,624, entitled "Circuit and Method for a Switching  
20 Power Supply with Primary Side Transformer Sensing" (hereinafter, "the '624 patent") on  
21 December 25, 2001. A true and correct copy of the '624 patent is attached as Exhibit A.

22 12. After a full and fair examination, the United States Patent and Trademark Office  
23 duly and legally issued U.S. Patent No. 6,429,709, entitled "Power Converter and Method for  
24 Controlling" (hereinafter, "the '709 patent") on August 6, 2002. A true and correct copy of the 709  
25 patent is attached as Exhibit B.

26 13. After a full and fair examination, the United States Patent and Trademark Office  
27 duly and legally issued U.S. Patent No. RE39,933, entitled "Power Conversion Integrated Circuit  
28

1 and Method for Programming” (hereinafter, “the ’933 patent”) on December 4, 2007. A true and  
2 correct copy of the ’933 patent is attached as Exhibit C. The ’933 patent is a reissue of U.S. Patent  
3 No. 5,859,768 (“the ’768 patent”) and claims 1-20 of the ’768 patent also appear in claims 1-20 of  
4 the ’933 patent.

5 14. After a full and fair examination, the United States Patent and Trademark Office  
6 duly and legally issued U.S. Patent No. RE41,908, entitled “Power Conversion Integrated Circuit  
7 and Method for Programming” (hereinafter, “the ’908 patent”) on November 2, 2010. A true and  
8 correct copy of the ’908 patent is attached as Exhibit D.

9 15. After a full and fair examination, the United States Patent and Trademark Office  
10 duly and legally issued U.S. Patent No. RE45,862, entitled “Power Conversion Integrated Circuit  
11 and Method for Programming” (hereinafter, “the ’862 patent”) on January 19, 2016. A true and  
12 correct copy of the ’862 patent is attached as Exhibit E.

13 16. After a full and fair examination, the United States Patent and Trademark Office  
14 duly and legally issued U.S. Patent No. 6,597,221, entitled “Power Converter Circuit and Method  
15 for Controlling” (hereinafter, “the ’221 patent”) on July 22, 2003. A true and correct copy of the  
16 ’221 patent is attached as Exhibit F.

17 17. After a full and fair examination, the United States Patent and Trademark Office  
18 duly and legally issued U.S. Patent No. 7,944,272, entitled “Constant Current Circuit” (hereinafter,  
19 “the ’272 patent”) on May 17, 2011. A true and correct copy of the 272 patent is attached as  
20 Exhibit G.

21 18. After a full and fair examination, the United States Patent and Trademark Office  
22 duly and legally issued U.S. Patent No. 7,447,601, entitled “Power Supply Controller Method and  
23 Structure” (hereinafter, “the ’601 patent”) on November 4, 2008. A true and correct copy of the  
24 ’601 patent is attached as Exhibit H.

25 19. Semiconductor Components Industries, LLC owns title and all rights to the ’624,  
26 ’709, ’933, ’768, ’908, ’862, ’221, ’272, and ’601 patents, including the right to prevent others from  
27 making, having made, using, offering for sale, importing, or selling products and services covered

1 by those patents; the right to enforce those patents against Power Integrations; and the right to  
2 collect damages for all relevant times.

3 20. Power Integrations has offered and continues to offer infringing semiconductors,  
4 including but not limited to the LinkZero-LP series of integrated circuits, including those having  
5 product name LNK574/576, TOPSwitch-HX series of integrated circuits, LYTSwitch-4 integrated  
6 circuit, InnoSwitch-CE integrated circuit, and LYTSwitch-3 integrated circuit for sale, through  
7 intermediaries (including distributors, retailers, and others), in this district and elsewhere.

### 8 **EXISTENCE OF AN ACTUAL CONTROVERSY**

9 21. ON re-alleges and incorporates by reference each of Paragraphs 1-20 above.

10 22. An actual controversy exists within the jurisdiction of this Court under 28  
11 U.S.C. §§ 2201 and 2202.

12 23. On information and belief, Power Integrations is the owner of U.S. Patent  
13 No. 6,249,876, entitled “Frequency Jittering Control for Varying the Switching Frequency of a  
14 Power Supply” (“the ’876 patent”), by assignment from named inventors Balu Balakrishnan, Alex  
15 Djenguerian, and Leif Lund. The ’876 patent bears an issuance date of June 19, 2001. A copy of  
16 the ’876 patent is attached to this Complaint as Exhibit I.

17 24. Power Integrations has accused ON of infringing the ’876 patent. Specifically, Balu  
18 Balakrishnan, President and CEO of Power Integrations and named inventor on the ’876 patent, sent  
19 an e-mail to Keith Jackson, President and Chief Executive Officer of ON, alleging that ON infringes  
20 the ’876 patent in connection with its manufacture, sale, and/or offers to sell ON’s AC-DC  
21 controller with the model number NCP1246. A copy of the text of the e-mail (with e-mail  
22 addresses redacted) is attached to this Complaint as Exhibit J.

23 25. Power Integrations has a history of asserting the ’876 patent. *See, e.g., Power*  
24 *Integrations, Inc. v. Fairchild Semiconductor Int’l, Inc.*, Case No. 1:04-CV-1371 (D. Del. filed Oct.  
25 20, 2004) (asserting the ’876 patent); *Power Integrations, Inc. v. Fairchild Semiconductor, Int’l*  
26 *Inc.*, Case No. 1:08-CV-0309 (D. Del. filed May 23, 2008) (asserting the ’876 patent); and *Power*

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