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12 Attorneys for Plaintiffs and Counterclaim-  
Defendants Advanced Micro Devices, Inc.  
13 and ATI Technologies, ULC

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16

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18 SAMSUNG SEMICONDUCTOR, INC.,  
SAMSUNG AUSTIN SEMICONDUCTOR,  
19 LLC, SAMSUNG ELECTRONICS AMERICA,  
INC., SAMSUNG TELECOMMUNICATIONS  
20 AMERICA, LLC, SAMSUNG TECHWIN CO.,  
LTD., and SAMSUNG OPTO-ELECTRONICS  
21 AMERICA, INC.,

22 Counterclaim-Plaintiffs,

23 v.

24 (1) ADVANCED MICRO DEVICES,  
INC., and  
25 (2) ATI TECHNOLOGIES, ULC,

26 Counterclaim-Defendants.  
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Case No. CV-08-0986-SI

**COUNTERCLAIM-DEFENDANTS'  
REPLY TO THE COUNTERCLAIMS  
OF SAMSUNG SEMICONDUCTOR,  
INC., SAMSUNG AUSTIN  
SEMICONDUCTOR, LLC, SAMSUNG  
ELECTRONICS AMERICA, INC.,  
SAMSUNG  
TELECOMMUNICATIONS  
AMERICA, LLC, SAMSUNG  
TECHWIN CO., LTD., AND  
SAMSUNG OPTO-ELECTRONICS  
AMERICA, INC.**

**[DEMAND FOR JURY TRIAL]**

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Counterclaim-Defendants Advanced Micro Devices, Inc. (“AMD”) and ATI Technologies, ULC (“ATI”) (collectively, “Counterclaim-Defendants”), by and through their counsel, reply to the declaratory judgment counterclaims (“Collective Counterclaims”) filed respectively by Samsung Semiconductor, Inc. (“SSI”), Samsung Austin Semiconductor, LLC (“SAS”), Samsung Electronics America, Inc. (“SEA”), Samsung Telecommunications America, LLC (“STA”), Samsung Techwin Co., Ltd. (“Techwin”), and Samsung Opto-Electronics America, Inc. (“SOA”) (collectively, “Counterclaim-Plaintiffs”) as follows:

**PARTIES**

1. On information and belief, Counterclaim-Defendants admit the allegations of paragraph 62 of the Collective Counterclaims as to SSI, SAS, SEA, STA, and SOA. As to Techwin, Counterclaim-Defendants admit that Techwin is a Korean business entity. Except as expressly admitted, Counterclaim-Defendants deny the remaining allegations of paragraph 62 of Techwin’s counterclaims.
2. Counterclaim-Defendants admit the allegations of paragraph 63 of the Collective Counterclaims.
3. Counterclaim-Defendants admit the allegations of paragraph 64 of the Collective Counterclaims.

**JURISDICTION AND VENUE**

4. In response to paragraph 65 of the Collective Counterclaims, Counterclaim-Defendants admit that this Court has subject matter jurisdiction over the Collective Counterclaims. As to the remaining allegations of paragraph 65 of the Collective Counterclaims, Counterclaim-Defendants lack sufficient knowledge or information to admit or deny such allegations, and so deny those allegations and put Counterclaim-Plaintiffs to their strictest proof.

1           5.     In response to paragraph 66 of the Collective Counterclaims, Counterclaim-  
2 Defendants do not contest venue in this district.

3                                 **RESPONSE TO FIRST CLAIM FOR RELIEF**

4   **(Declaratory Judgment of Non-Infringement)**

5           6.     In response to paragraph 67 of the Collective Counterclaims, Counterclaim-  
6 Defendants incorporate by reference their above responses to paragraphs 62-66 of the Collective  
7 Counterclaims as if specifically set forth herein.

8           7.     Counterclaim-Defendants admit the allegations of paragraph 68 of the Collective  
9 Counterclaims.  
10

11           8.     Counterclaim-Defendants admit that, on February 19, 2008, they filed this lawsuit,  
12 which alleges that SSI, SAS, SEA, and STA infringe U.S. Patent No. 5,545,592, U.S. Patent No.  
13 4,737,830, U.S. Patent No. 5,248,893, U.S. Patent No. 5,559,990, U.S. Patent No. 5,377,200, and  
14 U.S. Patent No. 6,784,879. Counterclaim-Defendants further admit that on May 1, 2008, they  
15 filed their First Amended Complaint, which alleges that SSI, SAS, SEA, STA, Techwin, and  
16 SOA infringe those six patents, as well as U.S. Patent No. 5,623,434. Except as expressly  
17 admitted, Counterclaim-Defendants deny each and every allegation of paragraph 69 of the  
18 Collective Counterclaims.  
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20           9.     Counterclaim-Defendants admit the allegations of paragraph 70 of the Collective  
21 Counterclaims.  
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23           10.    Counterclaim-Defendants deny the allegations of paragraph 71 of the Collective  
24 Counterclaims.

25           11.    Counterclaim-Defendants deny the allegations of paragraph 72 of the Collective  
26 Counterclaims.  
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**RESPONSE TO SECOND CLAIM FOR RELIEF**

**(Declaratory Judgment of Invalidity)**

12. In response to paragraph 73 of the Collective Counterclaims, Counterclaim-Defendants incorporate by reference their above responses to paragraphs 62-72 of the Collective Counterclaims as if specifically set forth herein.

13. Counterclaim-Defendants admit the allegations of paragraph 74 of the Collective Counterclaims.

14. Counterclaim-Defendants admit that, on February 19, 2008, they filed this lawsuit, which alleges that SSI, SAS, SEA, and STA infringe U.S. Patent No. 5,545,592, U.S. Patent No. 4,737,830, U.S. Patent No. 5,248,893, U.S. Patent No. 5,559,990, U.S. Patent No. 5,377,200, and U.S. Patent No. 6,784,879. Counterclaim-Defendants further admit that on May 1, 2008, they filed their First Amended Complaint, which alleges that SSI, SAS, SEA, STA, Techwin, and SOA infringe those six patents, as well as U.S. Patent No. 5,623,434. Except as expressly admitted, Counterclaim-Defendants deny each and every allegation of paragraph 75 of the Collective Counterclaims.

15. Counterclaim-Defendants admit the allegations of paragraph 76 of the Collective Counterclaims.

16. Counterclaim-Defendants deny the allegations of paragraph 77 of the Collective Counterclaims.

17. Counterclaim-Defendants deny the allegations of paragraph 78 of the Collective Counterclaims.

**AFFIRMATIVE DEFENSE**

**(Failure to State a Claim)**

18. Counterclaim-Plaintiffs fail to state a claim upon which relief can be granted.

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**PRAYER FOR RELIEF**

WHEREFORE, Counterclaim-Defendants pray for judgment as follows:

- a. That Counterclaim-Plaintiffs take nothing by their Collective Counterclaims, that Counterclaim-Plaintiffs’ Collective Counterclaims be dismissed with prejudice, and that judgment on Counterclaim-Plaintiffs’ Collective Counterclaims be entered in favor of Counterclaim-Defendants and against Counterclaim-Plaintiffs;
- b. That the Court adjudge this to be an “exceptional case” and award Counterclaim-Defendants their attorneys’ fees under 35 U.S.C. Section 285;
- c. That Counterclaim-Defendants be awarded their costs of suit; and
- d. For such other and further relief as this Court deems just and proper.

Respectfully submitted.

DATED: August 1, 2008

**ROBINS, KAPLAN, MILLER & CIRESI L.L.P.**

By: /s/ William H. Manning  
William H. Manning  
Brad P. Engdahl  
Cole M. Fauver

**ATTORNEYS FOR PLAINTIFFS AND  
COUNTERCLAIM-DEFENDANTS  
ADVANCED MICRO DEVICES, INC. AND ATI  
TECHNOLOGIES, ULC**

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**DEMAND FOR JURY TRIAL**

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Counterclaim-Defendants demand a jury trial as to all matters so triable.

Respectfully submitted.

DATED: August 1, 2008

**ROBINS, KAPLAN, MILLER & CIRESI L.L.P.**

By: /s/ William H. Manning  
William H. Manning  
Brad P. Engdahl  
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