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12 Attorneys for Plaintiff
Everlight Electronics Co., Ltd.

13
14 **UNITED STATES DISTRICT COURT**
15 **NORTHERN DISTRICT OF CALIFORNIA**
16 **SAN FRANCISCO DIVISION**

17 Everlight Electronics Co., Ltd.,
18 Plaintiff,
19 vs.
20 Bridgelux, Inc.,
21 Defendant.

) Case Number: 3:17-cv-3363

) **COMPLAINT FOR PATENT**
) **INFRINGEMENT**

) **AND**

) **DEMAND FOR JURY TRIAL**

)
) Date: June 10, 2017
) Time:
) Dept:
) Judge:

1 Plaintiff Everlight Electronics Co., Ltd. (“Everlight”), for its Complaint for Patent
2 Infringement against Defendant Bridgelux, Inc. (“Bridgelux”), alleges as follows:

3 **I. INTRODUCTION**

4 1. Everlight brings this patent infringement action to protect its investment in
5 valuable patented technology relating to light-emitting diodes (LEDs) and LED lighting. An LED
6 is a semiconductor device that converts electrical energy into light. LEDs have many advantages
7 over conventional light sources, including lower energy consumption, longer lifetime, and smaller
8 size.

9 2. Everlight was founded by Robert Yeh in 1983, and by 2006, Everlight had become
10 Taiwan’s largest manufacturer of LEDs. Everlight remains one of the world’s leading
11 manufacturers in the field of optoelectronics, providing lighting solutions for various applications
12 and industries, such as the computer, general lighting, and automotive industries. Everlight holds
13 crucial patents covering core and supporting technologies for the manufacture and design of LED
14 devices.

15 **II. PARTIES**

16 3. Plaintiff Everlight is a Taiwanese company with its principal place of business at
17 No.6-8, Zhonghua Rd., Shulin Dist., New Taipei City 23860, Taiwan.

18 4. On information and belief, Defendant Bridgelux is a company organized and
19 existing under the laws of the State of Delaware, with its headquarters and principal place of
20 business at 46430 Fremont Boulevard, Fremont, CA 94538.

21 **III. JURISDICTION**

22 5. This is an action for patent infringement, under the patent laws of the United
23 States, 35 U.S.C. § 271 et seq. This Court has jurisdiction under 28 U.S.C. §§ 1331 and 1338(a).

24 6. This Court has personal jurisdiction over Bridgelux. On information and belief,
25 Bridgelux has its headquarters and principal place of business within the State of California and
26 within this District. On information and belief, a substantial part of the events giving rise to
27 Everlight’s claims against Bridgelux, including acts of patent infringement, have occurred in the

1 State of California and this District, including manufacturing, selling, offering for sale, and/or
2 importing infringing LED products within the State of California and this District. On
3 information and belief, Bridgelux is engaged in substantial and continuous contacts with the State
4 of California and this District. On information and belief, Bridgelux is registered with the
5 Secretary of State for the State of California as Entity No. C3100854 to transact and conduct
6 business within the State of California. On information and belief, Bridgelux transacts and does
7 business within the State of California and this District. On information and belief, Bridgelux's
8 website at <https://www.bridgelux.com/where-buy> directs potential customers to contact the
9 Bridgelux headquarters at 46430 Fremont Blvd, Fremont, CA 94538, Tel: 925-583-8400, Sales
10 Support: 925-583-8452, for "more information about where to buy our products, and for fixture
11 manufacturers that use our products." Bridgelux also places, or causes to have placed, infringing
12 products into the stream of commerce, and directs potential customers to outlets for the purchase
13 of those products, including by way of its website, <https://www.bridgelux.com/where-buy>, with
14 the knowledge that such products will be made, imported, sold, offered for sale, and/or used in the
15 State of California and this District. As such, Bridgelux has purposefully availed itself of the
16 privilege of conducting business within the State of California; has established sufficient
17 minimum contacts with the State of California such that it should reasonably and fairly anticipate
18 being haled into court in the State of California; has purposefully directed activities at residents of
19 the State of California; and at least a portion of the patent infringement claims alleged herein arise
20 out of or are related to one or more of the foregoing activities.

21 **IV. VENUE**

22 7. Venue is proper within this judicial district under 28 U.S.C. §§ 1391(b) and
23 1400(b). On information and belief, Bridgelux has a regular and established place of business
24 within this District at 46430 Fremont Blvd, Fremont, CA 94538 and has committed acts of patent
25 infringement within this District, including manufacturing, selling, offering for sale, and/or
26 importing infringing LED products. For example, Bridgelux's website at
27 <https://www.bridgelux.com/where-buy> directs potential customers to contact the Bridgelux

1 headquarters at 46430 Fremont Blvd, Fremont, CA 94538, Tel: 925-583-8400, Sales Support:
2 925-583-8452, for “more information about where to buy our products, and for fixture
3 manufacturers that use our products.”

4 **V. INTRADISTRICT ASSIGNMENT**

5 8. This is an intellectual property case, and therefore shall be assigned on a district-
6 wide basis pursuant to Civil L.R. 3-2(c).

7 **VI. PATENTS-IN-SUIT**

8 9. On January 1, 2002, the United States Patent and Trademark Office (USPTO) duly
9 and legally issued U.S. Patent No. 6,335,548 (“the ’548 Patent”), entitled “Semiconductor
10 Radiation Emitter Package,” to John K. Roberts, et al. Everlight is the owner of all right, title,
11 and interest in and to the ’548 Patent, including the right to sue for past damages. A true and
12 correct copy of the ’548 Patent is attached hereto as Exhibit 1.

13 10. On August 7, 2007, the USPTO duly and legally issued U.S. Patent No. 7,253,448
14 (“the ’448 Patent”), entitled “Semiconductor Radiation Emitter Package,” to John K. Roberts, et
15 al. Everlight is the owner of all right, title, and interest in and to the ’448 Patent, including the
16 right to sue for past damages. A true and correct copy of the ’448 Patent is attached hereto as
17 Exhibit 2.

18 11. Upon issuance, both the ’548 Patent and the ’448 Patent were assigned to Gentex
19 Corporation (“Gentex”). Gentex assigned to Everlight all rights, title and interest, including the
20 right to past damages, in and to the ’548 Patent and the ’448 Patent.

21 **VII. COUNT 1 – INFRINGEMENT OF THE ’548 PATENT**

22 12. Everlight re-alleges and incorporates the allegations set forth in paragraphs 1-11
23 above as if fully set forth herein.

24 13. On information and belief, Bridgelux has infringed, and continues to infringe, one
25 or more claims of the ’548 Patent pursuant to 35 U.S.C. § 271(a) by, without authority, importing
26 into the United States and/or making, selling, offering to sell, and/or using within the United
27

1 States packaged LED products falling within the scope of the claims of the '548 Patent, either
2 literally or by equivalents.

3 14. By way of example, on information and belief, the Bridgelux 2835 series of
4 packaged LEDs, including but not limited to the SMD 2835 0.2W 3V, SMD 2835 0.5W 3V, SMD
5 2835 1W 9V Gen2, Gen2 SMD2835 0.2W 3V HE, SMD 2835 0.2W 3V Gen 2, and SMD 2835
6 1W 12V (collectively, the "Bridgelux 2835 LEDs"), comprise, either literally or by equivalents,
7 each of the elements recited in claim 1 of the '548 Patent.

8 15. Claim 1 of the '548 Patent recites:

9 A semiconductor radiation emitter package comprising:

10 a heat extraction member having a low thermal resistance;

11 at least one semiconductor radiation emitter in thermal contact with the heat extraction
12 member, said at least one semiconductor radiation emitter having an anode and a
13 cathode for energizing the semiconductor radiation emitter;

14 at least one anodic electrical lead coupled to an anode of at least one of said
15 semiconductor radiation emitters, said at least one anodic electrical lead having a
16 high thermal resistance;

17 at least one cathodic electrical lead coupled to a cathode of at least one of said
18 semiconductor radiation emitters, said at least one cathodic electrical lead having a
19 high thermal resistance; and

20 an encapsulant substantially transparent to radiation from said at least one
21 semiconductor radiation emitter, the encapsulant formed to cover each
22 semiconductor radiation emitter, a portion of said at least one anodic electrical
23 lead, a portion of each cathodic electrical lead, and a portion of the heat extraction
24 member.

25 16. On information and belief, each of the Bridgelux 2835 LEDs comprise a
26 semiconductor radiation emitter package. Each is a packaged LED product comprising an LED
27 chip, and an LED chip is a semiconductor device that emits light, which is optical radiation.

1 20. On information and belief, each of the Bridgelux 2835 LEDs comprises at least
2 one anodic electrical lead coupled to an anode of at least one of said semiconductor radiation
3 emitters. In particular, on information and belief, each of the Bridgelux 2835 LEDs comprises an
4 anodic electrical lead wire bonded to the anode of an LED chip.

5 21. On information and belief, the anodic electrical lead in each of the Bridgelux 2835
6 LEDs has a higher thermal resistance than the heat extraction member. The passage at column 4,
7 lines 45 through 61 of the '548 Patent discusses how to achieve an elevated thermal resistance in
8 an electrical lead. Among other options, it suggests "increasing the stand-off length of the leads
9 (distance between solder contact and the device body)" and "decreasing the cross-sectional area
10 of the leads." On information and belief, in each of the Bridgelux 2835 LEDs, the path length
11 along the electrical leads from the LED chip to the edges or solder points of the LED package is
12 longer than the path length from the LED chip to the bottom surface of the heat extraction
13 member. On information and belief, in each of the Bridgelux 2835 LEDs, the cross-sectional area
14 of the electrical leads in the direction leading from the LED chip to the edges or solder points of
15 the LED package is smaller than the cross-sectional area of the heat extraction member in the
16 direction leading from the LED chip to the bottom surface of the heat extraction member.

17 22. On information and belief, each of the Bridgelux 2835 LEDs comprises at least
18 one cathodic electrical lead coupled to a cathode of at least one of said semiconductor radiation
19 emitters. In particular, on information and belief, each of the Bridgelux 2835 LEDs comprises a
20 cathodic electrical lead wire bonded to the cathode of an LED chip.

21 23. On information and belief, the cathodic electrical lead in each of the Bridgelux
22 2835 LEDs has a higher thermal resistance than the heat extraction member. The passage at
23 column 4, lines 45 through 61 of the '548 Patent discusses how to achieve an elevated thermal
24 resistance in an electrical lead. Among other options, it suggests "increasing the stand-off length
25 of the leads (distance between solder contact and the device body)" and "decreasing the cross-
26 sectional area of the leads." On information and belief, in each of the Bridgelux 2835 LEDs, the
27 path length along the electrical leads from the LED chip to the edges or solder points of the LED
28

1 package is longer than the path length from the LED chip to the bottom surface of the heat
2 extraction member. On information and belief, in each of the Bridgelux 2835 LEDs, the cross-
3 sectional area of the electrical leads in the direction leading from the LED chip to the edges or
4 solder points of the LED package is smaller than the cross-sectional area of the heat extraction
5 member in the direction leading from the LED chip to the bottom surface of the heat extraction
6 member.

7 24. On information and belief, each of the Bridgelux 2835 LEDs comprises an
8 encapsulant substantially transparent to radiation from said at least one semiconductor radiation
9 emitter. On information and belief, each of the Bridgelux 2835 LEDs is a packaged LED product
10 comprising an encapsulated LED chip. On information and belief, the LED chip in each of the
11 2835 LEDs emits light that is transmitted through the encapsulant.

12 25. On information and belief, the encapsulant in each of the Bridgelux 2835 LEDs is
13 formed over and covers each LED chip, a portion of said at least one anodic electrical lead, a
14 portion of each cathodic electrical lead, and a portion of the heat extraction member.

15 26. On information and belief, other packaged LED products imported, made, sold,
16 offered for sale, and/or used by Bridgelux infringe claims of the '548 Patent in a manner similar
17 to the Bridgelux 2835 LEDs, as described in paragraphs 16 through 25 above.

18 27. On information and belief, there is no adequate remedy at law for Bridgelux's
19 infringement by the importation, use, making, selling, or offering to sell packaged LED products
20 falling within the scope of the '548 Patent. Bridgelux's infringement has caused, and is
21 continuing to cause, damage and irreparable injury to Everlight. Everlight will continue to suffer
22 damage and irreparable injury unless and until that infringement is enjoined by this Court.

23 28. Everlight is entitled to injunctive relief and damages in accordance with 35 U.S.C.
24 §§ 271, 281, 283, and 284.

25 29. At least as of the time Bridgelux is served with this Complaint, Bridgelux will
26 have actual notice of the '548 Patent and its infringement of that patent. On information and
27 belief, Bridgelux's infringement will be willful, at least after service of this Complaint, if

1 Bridgelux does not discontinue infringing importation, production, sale, offers for sale, and uses
2 and remove the infringing products from its product offerings. Such willful infringement would
3 entitle Everlight to enhanced damages under 35 U.S.C. § 284 and a finding that this case is
4 exceptional, entitling Everlight to an award of its reasonable attorney’s fees under 35 U.S.C. §
5 285.

6 **VIII. COUNT 2 – INFRINGEMENT OF THE ’448 PATENT**

7 30. Everlight re-alleges and incorporates the allegations set forth in paragraphs 1-11
8 above as if fully set forth herein.

9 31. On information and belief, Bridgelux has infringed, and continues to infringe, one
10 or more claims of the ’448 Patent pursuant to 35 U.S.C. § 271(a) by, without authority, importing
11 into the United States and/or making, selling, offering to sell, and/or using within the United
12 States LED products falling within the scope of the claims of the ’548 Patent, either literally or by
13 equivalents.

14 32. By way of example, on information and belief, the Bridgelux 2835 series of
15 packaged LEDs, including but not limited to the SMD 2835 0.2W 3V, SMD 2835 0.5W 3V, SMD
16 2835 1W 9V Gen2, Gen2 SMD2835 0.2W 3V HE, SMD 2835 0.2W 3V Gen 2, and SMD 2835
17 1W 12V (collectively, the “Bridgelux 2835 LEDs”), comprise, either literally or by equivalents,
18 each of the elements recited in claim 1 of the ’448 Patent.

19 33. Claim 1 of the ’448 Patent recites:

20 A semiconductor radiation emitter package comprising:

21 a heat extraction element;

22 at least two electrical leads having a greater thermal resistance than said heat
23 extraction element;

24 at least one semiconductor radiation emitter mounted on a first surface of said heat
25 extraction element, wherein when said at least one semiconductor radiation
26 emitter is activated, the semiconductor radiation emitter package emits white
27 light; and

1 an encapsulant covering said at least one semiconductor radiation emitter, at least a
2 portion of said encapsulant being substantially transparent to wavelengths
3 emitted by said at least one semiconductor radiation emitter, said encapsulant
4 material covering a portion of the first surface of said heat extraction element,
5 while leaving exposed at least a portion of a second surface of said heat
6 extraction element that is opposite the first surface, the exposed portion of the
7 second surface being directly opposite an area of the first surface where said at
8 least one semiconductor radiation emitter is mounted.

9 34. On information and belief, each of the Bridgelux 2835 LEDs comprise a
10 semiconductor radiation emitter package. Each is a packaged LED product comprising an LED
11 chip, and an LED chip is a semiconductor device that emits light, which is optical radiation.

12 35. On information and belief, each of the Bridgelux 2835 LEDs comprise a heat
13 extraction element to withdraw heat from the packaged LED chip.

14 36. On information and belief, each of the Bridgelux 2835 LEDs comprises at least
15 two electrical leads. On information and belief, each of the Bridgelux 2835 LEDs comprises at
16 least one anodic electrical lead wire bonded to the anode of the LED chip and at least one
17 cathodic electrical lead wire bonded to the cathode of the LED chip.

18 37. On information and belief, in each of the Bridgelux 2835 LEDs, the electrical leads
19 have a higher thermal resistance than the heat extraction element.

20 38. The passage at column 4, lines 45 through 61 of the '548 Patent discusses how to
21 achieve an elevated thermal resistance in an electrical lead. Among other options, it suggests
22 "increasing the stand-off length of the leads (distance between solder contact and the device
23 body)" and "decreasing the cross-sectional area of the leads." On information and belief, in each
24 of the Bridgelux 2835 LEDs, the path length along the electrical leads from the LED chip to the
25 edges or solder points of the LED package is longer than the path length from the LED chip to the
26 bottom surface of the heat extraction member. On information and belief, in each of the
27 Bridgelux 2835 LEDs, the cross-sectional area of the electrical leads in the direction leading from

1 the LED chip to the edges or solder points of the LED package is smaller than the cross-sectional
2 area of the heat extraction member in the direction leading from the LED chip to the bottom
3 surface of the heat extraction member.

4 39. The passage at column 10, line 43 through column 11, line 5 of the '548 Patent
5 discusses how to achieve a low thermal resistance in a heat extraction member. Among other
6 options, it advises “[c]onstruction with substantially high thermal conductivity material such as
7 copper, copper alloys such as beryllium copper, aluminum, soft steel, or other metal” and
8 “[c]onstruction with a substantially high cross-sectional area in one or more directions leading
9 away from the surface region where the semiconductor optical emitter is attached” and
10 “[c]onstruction with a relatively short path length in one or more direction[s] from the surface
11 region where the semiconductor optical emitter is attached to the ambient environment or adjacent
12 structures.” On information and belief, the heat extraction member in each of the Bridgelux 2835
13 LEDs is made of metal having a high thermal conductivity. On information and belief, in each of
14 the Bridgelux 2835 LEDs, the cross-sectional area of the heat extraction member in the direction
15 leading from the LED chip to the bottom surface of the heat extraction member is higher than the
16 cross-sectional area of the electrical leads in the direction leading from the LED chip to the edges
17 or solder points of the LED package. On information and belief, in each of the Bridgelux 2835
18 LEDs, the path length from the LED chip to the bottom surface of the heat extraction member is
19 shorter than the path length along the electrical leads from the LED chip to the edges or solder
20 points of the LED package.

21 40. On information and belief, each of the Bridgelux 2835 LEDs comprises at least
22 one semiconductor radiation emitter mounted on a first surface of said heat extraction element.
23 On information and belief, each is a packaged LED product comprising an LED chip, and an LED
24 chip is a semiconductor device that emits light, which is optical radiation. On information and
25 belief, in each of the Bridgelux 2835 LEDs, the LED chip is mounted on the top surface of a heat
26 extraction element.

1 Bridgelux does not discontinue infringing importation, production, sale, offers for sale, and uses
2 and remove the infringing products from its product offerings. Such willful infringement would
3 entitle Everlight to enhanced damages under 35 U.S.C. § 284 and a finding that this case is
4 exceptional, entitling Everlight to an award of its reasonable attorney's fees under 35 U.S.C. §
5 285.

6 **IX. PRAYER FOR RELIEF**

7 WHEREFORE, Plaintiff Everlight respectfully requests that this Court enter judgment in
8 its favor and against Bridgelux as follow:

9 A. A declaration that Bridgelux has infringed the '548 Patent under 35 U.S.C. § 271,
10 and a final judgment incorporating the same;

11 B. A permanent injunction, enjoining Bridgelux and its officers, agents, servants,
12 employees, representatives, successors, and assigns, and all others acting in concert or
13 participation with them from continued infringement under 35 U.S.C. § 271 of the '548 Patent;

14 C. An award of damages adequate to compensate Everlight for Bridgelux's
15 infringement of the '548 Patent, together with prejudgment and post-judgment interest and costs
16 pursuant to 35 U.S.C. § 284;

17 D. An order finding that Bridgelux's infringement of the '548 Patent is willful and
18 enhancing damages pursuant to 35 U.S.C. § 284;

19 E. A declaration that Bridgelux has infringed the '448 Patent under 35 U.S.C. § 271,
20 and a final judgment incorporating the same;

21 F. A permanent injunction, enjoining Bridgelux and its officers, agents, servants,
22 employees, representatives, successors, and assigns, and all others acting in concert or
23 participation with them from continued infringement under 35 U.S.C. § 271 of the '448 Patent;

24 G. An award of damages adequate to compensate Everlight for Bridgelux's
25 infringement of the '448 Patent, together with prejudgment and post-judgment interest and costs
26 pursuant to 35 U.S.C. § 284;

1 H. An order finding that Bridgelux's infringement of the '448 Patent is willful and
2 enhancing damages pursuant to 35 U.S.C. § 284;

3 I. An order finding that this is an exceptional case under 35 U.S.C. § 285 and
4 awarding relief, including reasonable attorneys' fees, costs, and expenses;

5 J. An Order directing Defendant to file with this Court and serve upon Plaintiff's
6 counsel within 30 days after the entry of the Order of Injunction a report setting forth the manner
7 and form in which Defendant has complied with the injunction;

8 K. An accounting of all infringing sales and other infringing acts by Bridgelux, and an
9 order compelling an accounting for infringing acts not presented at trial and an award by the
10 Court of additional damages for such acts; and

11 L. Any other relief to which Everlight is entitled or that the Court deems just and
12 proper.

13 **X. JURY DEMAND**

14 Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiff Everlight hereby
15 demands trial by jury of all issues so triable.

16 Date: June 10, 2017

Respectfully submitted,

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18 /s/ *Russell C. Petersen*
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Attorneys for Plaintiff
Everlight Electronics Co., Ltd.