

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

VISHAY DALE ELECTRONICS, INC.,)	
)	
Plaintiff,)	Civil Action No. _____
v.)	
)	
YAGEO CORPORATION)	COMPLAINT AND JURY
)	TRIAL DEMAND
and)	
)	
CHILISIN ELECTRONICS CORPORATION)	FILED ELECTRONICALLY
)	
Defendants.)	

**COMPLAINT
Demand For Jury Trial**

Plaintiff, Vishay Dale Electronics, Inc. ("Vishay Dale"), by and through its undersigned counsel, hereby complains of Defendants Yageo Corporation ("Yageo") and Chilisin Electronics Corporation ("Chilisin") (collectively, "Defendants"), as follows:

NATURE OF ACTION

1. This is an action for injunctive relief and damages arising out of infringement by Defendants of Vishay Dale's U.S. Patent Nos. 6,204,744 ("the '744 patent"), 6,460,244 ("the '244 patent"), 6,946,944 ("the '944 patent"), 7,034,645 ("the '645 patent"), 7,221,249 ("the '249 patent"), 7,263,761 ("the '761 patent"), and 7,345,562 ("the '562 patent"), 7,921,546 ("the '546 patent"), and 7,986,207 ("the '207 patent") (collectively, the "Patents-in-suit").

THE PARTIES

2. Vishay Dale is a Delaware corporation having a principal place of business at 1112 23rd Street, Columbus, Nebraska 68601.

3. Upon information and belief, Yageo is a Taiwanese corporation, having a principal place of business at 3F, 233-1, Baoqiao Rd., Xindian Dist., New Taipei City 23145, Taiwan, and operates the www.yageo.com website that identifies a U.S. office at: Yageo America Corporation, 2665 North First Street, Suite 212, San Jose, CA 95134.

4. Upon information and belief, Chilisin is a Taiwanese corporation, having a principal place of business at No. 29, Alley 301, Tehhsin Rd., Hukou, Hsinchu, Taiwan 303, and operates the www.chilisin.com.tw website that identifies a U.S. branch office at: Chilisin America Ltd., 2880 Zanker Rd. Suit 203 San Jose, CA 95134.

5. Upon information and belief, Chilisin is a subsidiary of Yageo.

6. Upon information and belief, Defendants use, sell, offer to sell, and import inductors, including MHCC and MHCI series inductors, in the United States and within this judicial district.

JURISDICTION AND VENUE

7. This is a civil action arising under the Patent Laws of the United States of America, 35 U.S.C. § 101, *et seq.*

8. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338.

9. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391 and 1400(b).

**COUNT I – PATENT INFRINGEMENT
(U.S. Patent No. 6,204,744)**

10. Vishay Dale incorporates by reference each of the allegations of the preceding paragraphs as if fully set forth herein.

11. The ‘744 Patent, titled HIGH CURRENT, LOW PROFILE INDUCTOR, was duly and legally issued to Timothy M. Shafer and Brett W. Jelkin on March 20, 2001. A copy of the ‘744 Patent is attached as Exhibit A.

12. Vishay Dale is the owner of the ‘744 Patent by assignment and has the exclusive right to sue, license, and collect past and future damages from infringers of the ‘744 Patent.

13. In violation of 35 U.S.C. § 271(a)-(c), Defendants are infringing one or more claims of the ‘744 Patent, actively inducing others to infringe one or more claims of the ‘744 Patent, and actively contributing to infringement by others of one or more claims of the ‘744 Patent by making, using, importing, offering to sell, selling, and distributing certain inductor products, including at least its MHCC and MHCI series inductors, that infringe the ‘744 Patent.

14. Defendants had notice of the ‘744 Patent and were aware that their making, using, importing, offering to sell, selling, and distributing certain inductor products infringes the ‘744 Patent.

15. Vishay Dale has been injured by Defendants' infringement of the '744 Patent and will continue to be injured by Defendants' infringement of the '744 Patent unless enjoined from further infringement by this Court.

16. Defendants' past and future infringement of the '744 Patent has caused and will cause Vishay Dale irreparable harm for which there is no adequate remedy at law.

17. Defendants' acts of infringement are in willful and wanton disregard of Vishay Dale's rights accorded by the '744 Patent, and this case is exceptional within the meaning of 35 U.S.C. § 285.

COUNT II – PATENT INFRINGEMENT
(U.S. Patent No. 6,460,244)

18. Vishay Dale incorporates by reference each of the allegations of the preceding paragraphs as if fully set forth herein.

19. The '244 Patent, titled METHOD FOR MAKING A HIGH CURRENT, LOW PROFILE INDUCTOR, was duly and legally issued to Timothy M. Shafer and Brett W. Jelkin on October 8, 2002. A copy of the '244 Patent is attached as Exhibit B.

20. Vishay Dale is the owner of the '244 Patent by assignment and has the exclusive right to sue, license, and collect past and future damages from infringers of the '244 Patent.

21. In violation of 35 U.S.C. § 271(a)-(c), Defendants are infringing one or more claims of the '244 Patent, actively inducing others to infringe one or more claims of the '244 Patent, and actively contributing to infringement by others of or

more claims of the '244 Patent by making, using, importing, offering to sell, selling, and distributing certain inductor products, including at least its MHCC and MHCI series inductors, that infringe the '244 Patent.

22. Defendants had notice of the '244 Patent and were aware that their making, using, importing, offering to sell, selling, and distributing certain inductor products infringe the '244 Patent.

23. Vishay Dale has been injured by Defendants' infringement of the '244 Patent and will continue to be injured by Defendants' infringement of the '244 Patent unless enjoined from further infringement by this Court.

24. Defendants' past and future infringement of the '244 Patent has caused and will cause Vishay Dale irreparable harm for which there is no adequate remedy at law.

25. Defendants' acts of infringement are in willful and wanton disregard of Vishay Dale's rights accorded by the '244 Patent, and this case is exceptional within the meaning of 35 U.S.C. § 285.

COUNT III – PATENT INFRINGEMENT
(U.S. Patent No. 6,946,944)

26. Vishay Dale incorporates by reference each of the allegations of the preceding paragraphs as if fully set forth herein.

27. The '944 Patent, titled INDUCTOR COIL AND METHOD FOR MAKING THE SAME, was duly and legally issued to Timothy M. Shafer and Brett W. Jelkin on September 20, 2005. A copy of the '944 Patent is attached as Exhibit C.

28. Vishay Dale is the owner of the '944 Patent by assignment and has the exclusive right to sue, license, and collect past and future damages from infringers of the '944 Patent.

29. In violation of 35 U.S.C. § 271(a)-(c), Defendants are infringing one or more claims of the '944 Patent, actively inducing others to infringe one or more claims of the '944 Patent, and actively contributing to infringement by others of or more claims of the '944 Patent by making, using, importing, offering to sell, selling, and distributing certain inductor products, including at least its MHCC and MHCI series inductors, that infringe the '944 Patent.

30. Defendants had notice of the '944 Patent and were aware that their making, using, importing, offering to sell, selling, and distributing certain inductor products infringe the '944 Patent.

31. Vishay Dale has been injured by Defendants' infringement of the '944 Patent and will continue to be injured by Defendants' infringement of the '944 Patent unless enjoined from further infringement by this Court.

32. Defendants' past and future infringement of the '944 Patent has caused and will cause Vishay Dale irreparable harm for which there is no adequate remedy at law.

33. Defendants' acts of infringement are in willful and wanton disregard of Vishay Dale's rights accorded by the '944 Patent, and this case is exceptional within the meaning of 35 U.S.C. § 285.

**COUNT IV – PATENT INFRINGEMENT
(U.S. Patent No. 7,034,645)**

34. Vishay Dale incorporates by reference each of the allegations of the preceding paragraphs as if fully set forth herein.

35. The '645 Patent, titled INDUCTOR COIL AND METHOD FOR MAKING SAME, was duly and legally issued to Timothy M. Shafer and Brett W. Jelkin on April 25, 2006. A copy of the '645 Patent is attached as Exhibit D.

36. Vishay Dale is the owner of the '645 Patent by assignment and has the exclusive right to sue, license, and collect past and future damages from infringers of the '645 Patent.

37. In violation of 35 U.S.C. § 271(a)-(c), Defendants are infringing one or more claims of the '645 Patent, actively inducing others to infringe one or more claims of the '645 Patent, and actively contributing to infringement by others of or more claims of the '645 Patent by making, using, importing, offering to sell, selling, and distributing certain inductor products, including at least its MHCC and MHCI series inductors, that infringe the '645 Patent.

38. Defendants had notice of the '645 Patent and were aware that their making, using, importing, offering to sell, selling, and distributing certain inductor products infringe the '645 Patent.

39. Vishay Dale has been injured by Defendants' infringement of the '645 Patent and will continue to be injured by Defendants' infringement of the '645 Patent unless enjoined from further infringement by this Court.

40. Defendants' past and future infringement of the '645 Patent has caused and will cause Vishay Dale irreparable harm for which there is no adequate remedy at law.

41. Defendants' acts of infringement are in willful and wanton disregard of Vishay Dale's rights accorded by the '645 Patent, and this case is exceptional within the meaning of 35 U.S.C. § 285.

**COUNT V – PATENT INFRINGEMENT
(U.S. Patent No. 7,221,249)**

42. Vishay Dale incorporates by reference each of the allegations of the preceding paragraphs as if fully set forth herein.

43. The '249 Patent, titled INDUCTOR COIL, was duly and legally issued to Timothy M. Shafer and Brett W. Jelkin on May 22, 2007. A copy of the '249 Patent is attached as Exhibit E.

44. Vishay Dale is the owner of the '249 Patent by assignment and has the exclusive right to sue, license, and collect past and future damages from infringers of the '249 Patent.

45. In violation of 35 U.S.C. § 271(a)-(c), Defendants are infringing one or more claims of the '249 Patent, actively inducing others to infringe one or more claims of the '249 Patent, and actively contributing to infringement by others of or more claims of the '249 Patent by making, using, importing, offering to sell, selling, and distributing certain inductor products, including at least its MHCC and MHCI series inductors, that infringe the '249 Patent.

46. Defendants had notice of the '249 Patent and were aware that their making, using, importing, offering to sell, selling, and distributing certain inductor products infringe the '249 Patent.

47. Vishay Dale has been injured by Defendants' infringement of the '249 Patent and will continue to be injured by Defendants' infringement of the '249 Patent unless enjoined from further infringement by this Court.

48. Defendants' past and future infringement of the '249 Patent has caused and will cause Vishay Dale irreparable harm for which there is no adequate remedy at law.

49. Defendants' acts of infringement are in willful and wanton disregard of Vishay Dale's rights accorded by the '249 Patent, and this case is exceptional within the meaning of 35 U.S.C. § 285.

COUNT VI – PATENT INFRINGEMENT
(U.S. Patent No. 7,263,761)

50. Vishay Dale incorporates by reference each of the allegations of the preceding paragraphs as if fully set forth herein.

51. The '761 Patent, titled METHOD FOR MAKING A HIGH CURRENT LOW PROFILE INDUCTOR, was duly and legally issued to Timothy M. Shafer and Brett W. Jelkin on September 4, 2007. A copy of the '761 Patent is attached as Exhibit F.

52. Vishay Dale is the owner of the '761 Patent by assignment and has the exclusive right to sue, license, and collect past and future damages from infringers of the '761 Patent.

53. In violation of 35 U.S.C. § 271(a)-(c), Defendants are infringing one or more claims of the '761 Patent, actively inducing others to infringe one or more claims of the '761 Patent, and actively contributing to infringement by others of or more claims of the '761 Patent by making, using, importing, offering to sell, selling, and distributing certain inductor products, including at least its MHCC and MHCI series inductors, that infringe the '761 Patent.

54. Defendants had notice of the '761 Patent and were aware that their making, using, importing, offering to sell, selling, and distributing certain inductor products infringe the '761 Patent.

55. Vishay Dale has been injured by Defendants' infringement of the '761 Patent and will continue to be injured by Defendants' infringement of the '761 Patent unless enjoined from further infringement by this Court.

56. Defendants' past and future infringement of the '761 Patent has caused and will cause Vishay Dale irreparable harm for which there is no adequate remedy at law.

57. Defendants' acts of infringement are in willful and wanton disregard of Vishay Dale's rights accorded by the '761 Patent, and this case is exceptional within the meaning of 35 U.S.C. § 285.

**COUNT VII – PATENT INFRINGEMENT
(U.S. Patent No. 7,345,562)**

58. Vishay Dale incorporates by reference each of the allegations of the preceding paragraphs as if fully set forth herein.

59. The '562 Patent, titled METHOD FOR MAKING A HIGH CURRENT LOW PROFILE INDUCTOR, was duly and legally issued to Timothy M. Shafer and Brett W. Jelkin on March 18, 2008. A copy of the '562 Patent is attached as Exhibit G.

60. Vishay Dale is the owner of the '562 Patent by assignment and has the exclusive right to sue, license, and collect past and future damages from infringers of the '562 Patent.

61. In violation of 35 U.S.C. § 271(a)-(c), Defendants are infringing one or more claims of the '562 Patent, actively inducing others to infringe one or more claims of the '562 Patent, and actively contributing to infringement by others of one or more claims of the '562 Patent by making, using, importing, offering to sell, selling, and distributing certain inductor products, including at least its MHCC and MHCI series inductors, that infringe the '562 Patent.

62. Defendants had notice of the '562 Patent and were aware that their making, using, importing, offering to sell, selling, and distributing certain inductor products infringe the '562 Patent.

63. Vishay Dale has been injured by Defendants' infringement of the '562 Patent and will continue to be injured by Defendants' infringement of the '562 Patent unless enjoined from further infringement by this Court.

64. Defendants' past and future infringement of the '562 Patent has caused and will cause Vishay Dale irreparable harm for which there is no adequate remedy at law.

65. Defendants' acts of infringement are in willful and wanton disregard of Vishay Dale's rights accorded by the '562 Patent, and this case is exceptional within the meaning of 35 U.S.C. § 285.

**COUNT VIII – PATENT INFRINGEMENT
(U.S. Patent No. 7,921,546)**

66. Vishay Dale incorporates by reference each of the allegations of the preceding paragraphs as if fully set forth herein.

67. The '546 Patent, titled METHOD FOR MAKING A HIGH CURRENT LOW PROFILE INDUCTOR, was duly and legally issued to Timothy M. Shafer and Brett W. Jelkin on April 12, 2011. A copy of the '546 Patent is attached as Exhibit H.

68. Vishay Dale is the owner of the '546 Patent by assignment and has the exclusive right to sue, license, and collect past and future damages from infringers of the '546 Patent.

69. In violation of 35 U.S.C. § 271(a)-(c), Defendants are infringing one or more claims of the '546 Patent, actively inducing others to infringe one or more claims of the '546 Patent, and actively contributing to infringement by others of one or more claims of the '546 Patent by making, using, importing, offering to sell, selling, and distributing certain inductor products, including at least its MHCC and MHCI series inductors, that infringe the '546 Patent.

70. Defendants had notice of the '546 Patent and were aware that their making, using, importing, offering to sell, selling, and distributing certain inductor products infringe the '546 Patent.

71. Vishay Dale has been injured by Defendants' infringement of the '546 Patent and will continue to be injured by Defendants' infringement of the '546 Patent unless enjoined from further infringement by this Court.

72. Defendants' past and future infringement of the '546 Patent has caused and will cause Vishay Dale irreparable harm for which there is no adequate remedy at law.

73. Defendants' acts of infringement are in willful and wanton disregard of Vishay Dale's rights accorded by the '546 Patent, and this case is exceptional within the meaning of 35 U.S.C. § 285.

**COUNT IX – PATENT INFRINGEMENT
(U.S. Patent No. 7,986,207)**

74. Vishay Dale incorporates by reference each of the allegations of the preceding paragraphs as if fully set forth herein.

75. The '207 Patent, titled METHOD FOR MAKING A HIGH CURRENT LOW PROFILE INDUCTOR, was duly and legally issued to Timothy M. Shafer and Brett W. Jelkin on July 26, 2011. A copy of the '207 Patent is attached as Exhibit I.

76. Vishay Dale is the owner of the '207 Patent by assignment and has the exclusive right to sue, license, and collect past and future damages from infringers of the '207 Patent.

77. In violation of 35 U.S.C. § 271(a)-(c), Defendants are infringing one or more claims of the '207 Patent, actively inducing others to infringe one or more claims of the '207 Patent, and actively contributing to infringement by others of one or more claims of the '207 Patent by making, using, importing, offering to sell,

selling, and distributing certain inductor products, including at least its MHCC and MHCI series inductors, that infringe the '207 Patent.

78. Defendants had notice of the '207 Patent and were aware that their making, using, importing, offering to sell, selling, and distributing certain inductor products infringe the '207 Patent.

79. Vishay Dale has been injured by Defendants' infringement of the '207 Patent and will continue to be injured by Defendants' infringement of the '207 Patent unless enjoined from further infringement by this Court.

80. Defendants' past and future infringement of the '207 Patent has caused and will cause Vishay Dale irreparable harm for which there is no adequate remedy at law.

81. Defendants' acts of infringement are in willful and wanton disregard of Vishay Dale's rights accorded by the '207 Patent, and this case is exceptional within the meaning of 35 U.S.C. § 285.

PRAYER FOR RELIEF

WHEREFORE, Vishay Dale seeks a judgment against Defendants as follows:

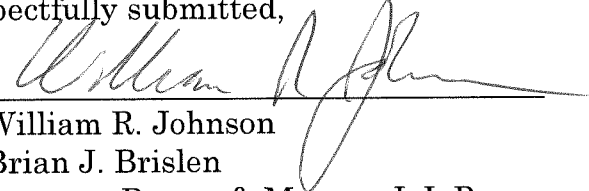
- a. Enter judgment against Defendants for infringement of the Patents-in-suit.
- b. Enter judgment against Defendants for inducing others to infringe and contributing to others' infringement of the Patents-in-suit.
- c. Awarding Vishay Dale damages for Defendants' infringement of the Patents-in-suit.

- d. Declaring that Defendants' infringement of the Patents-in-suit is willful;
- e. Declaring that this case is exceptional pursuant to 35 U.S.C. § 285;
- f. Awarding Vishay Dale treble damages, attorneys' fees costs, and prejudgment interest in this action under any and all applicable statutes;
- g. Enjoining Defendants, their officers, agents, servants, employees, and all those persons in active concert or participation with Defendants from further infringement of the Patents-in-suit; and
- h. Awarding Vishay Dale such other and further relief as the Court may deem just and proper.

DEMAND FOR JURY TRIAL AT OMAHA, NEBRASKA

Plaintiff Vishay Dale demands trial by jury at Omaha, Nebraska as to all issues triable by jury in this case as a matter of right.

Respectfully submitted,

By: 

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