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BROADCOM CORPORATION
8

9 **UNITED STATES DISTRICT COURT**
10 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
11 **SOUTHERN DIVISION**
12

13 BROADCOM CORPORATION,

14 Plaintiff,

15 v.

16 LG ELECTRONICS INC. and LG
ELECTRONICS U.S.A. INC.,
17

18 Defendants.

Case No. 17 Civ. 404

COMPLAINT FOR PATENT
INFRINGEMENT

DEMAND FOR JURY TRIAL

19 Plaintiff Broadcom Corporation (“Broadcom”), by and through its
20 undersigned counsel, files this Complaint for Patent Infringement relating to several
21 U.S. patents as identified below (collectively, the “Patents-in-Suit”) and alleges as
22 follows:

23 **THE PARTIES**

24 1. Plaintiff Broadcom Corporation (“Broadcom” or “Plaintiff”) is a
25 California corporation having its principal place of business at 5300 California
26 Avenue, Irvine, CA 92617. It was acquired by Avago Technologies, Ltd. in 2016
27
28

1 and currently operates as a wholly-owned subsidiary of the merged entity now
2 known as Broadcom Limited.

3 2. On information and belief, LG Electronics Inc. (“LG Korea”) is a
4 corporation organized under the laws of South Korea with its principal place of
5 business at Twin Tower 128, Yeoui-daero, Yeongdeungpo-gu, Seoul, Korea 150-
6 721.

7 3. On information and belief, LG Electronics U.S.A., Inc. (“LG USA”) is
8 a corporation organized under the laws of Delaware with its principal place of
9 business at 1000 Sylvan Avenue, Englewood Cliffs, New Jersey 07632. On
10 information and belief, LG USA is a wholly-owned subsidiary of LG Korea.

11 **JURISDICTION AND VENUE**

12 4. Broadcom brings this civil action for patent infringement pursuant to
13 the Patent Laws of the United States, 35 U.S.C. § 1, *et. seq.*, including 35 U.S.C.
14 §§ 271, 281-285. This Court has subject matter jurisdiction over this action
15 pursuant to 28 U.S.C. §§ 1331 and 1338.

16 5. Upon information and belief, Defendants LG Korea and LG USA
17 (collectively, “LG”) transact and conduct business in this District and the State of
18 California, and are subject to the personal jurisdiction of this Court. Upon
19 information and belief, LG has minimum contacts within the State of California and
20 this District and has purposefully availed itself of the privileges of conducting
21 business in the State of California and in this District. Broadcom’s causes of action
22 arise directly from LG’s business contacts and other activities in the State of
23 California and in this District. Upon information and belief, LG has committed acts
24 of infringement, both directly and indirectly, within this District and the State of
25 California by, *inter alia*, using, selling, offering for sale, importing, advertising,
26 and/or promoting products that infringe one or more claims of the Patents-in-Suit.
27 More specifically, LG, directly and/or through intermediaries, uses, sells, ships,
28 distributes, offers for sale, advertises, and otherwise promotes its products in the

1 United States, the State of California, and this District. Upon information and
2 belief, LG solicits customers in the State of California and this District, and has
3 customers who are residents of the State of California and this District and who use
4 LG's products in the State of California and in this District.

5 6. Venue is proper in this district under 28 U.S.C. §§ 1391 and 1400(b).

6 **THE PATENTS-IN-SUIT**

7 7. Broadcom owns by assignment the entire right, title, and interest in
8 U.S. Patent No. 8,284,844 (the "MacInnis '844 patent"), which is entitled "Video
9 Decoding System Supporting Multiple Standards." The MacInnis '844 patent
10 issued on October 9, 2012 to inventors Alexander MacInnis, Jose Alvarez, Sheng
11 Zhong, Xiaodong Xie, and Vivian Hsiun from United States Patent Application
12 No. 10/114,798, filed on April 1, 2002. A true and correct copy of the MacInnis
13 '844 patent is attached as **Exhibit A** to this Complaint.

14 8. Broadcom owns by assignment the entire right, title, and interest in
15 U.S. Patent No. 7,590,059 (the "Gordon '059 patent"), which is entitled
16 "Multistandard Video Decoder." The Gordon '059 patent issued on September 15,
17 2009 to inventor Stephen Gordon from United States Patent Application
18 No. 11/000,731, filed on December 1, 2004. A true and correct copy of the Gordon
19 '059 patent is attached as **Exhibit B** to this Complaint.

20 9. Broadcom owns by assignment the entire right, title, and interest in
21 U.S. Patent No. 8,068,171 (the "Aggarwal '171 patent"), which is entitled "High
22 Speed for Digital Video." The Aggarwal '171 patent issued on November 29, 2011
23 to inventors Gaurav Aggarwal, M K Subramanian, Sandeep Bhatia, Santosh
24 Savekar, and K Shivapirakasan from United States Patent Application
25 No. 12/730,911, filed on March 24, 2010. A true and correct copy of the Aggarwal
26 '171 patent is attached as **Exhibit C** to this Complaint.

27 10. Broadcom owns by assignment the entire right, title, and interest in
28 U.S. Patent No. 7,310,104 (the "MacInnis '104 patent"), which is entitled "Graphics

1 Display System with Anti-Flutter Filtering and Vertical Scaling.” The MacInnis
2 ’104 patent issued on December 18, 2007 to inventors Alexander MacInnis,
3 Chengfuh Jeffrey Tang, Xiaodong Xie, James Patterson, and Greg Kranawetter from
4 United States Patent Application No. 11/511,042, filed on August 28, 2006. A true
5 and correct copy of the MacInnis ’104 patent is attached as **Exhibit D** to this
6 Complaint.

7 11. Broadcom owns by assignment the entire right, title, and interest in
8 U.S. Patent No. 7,342,967 (the “Aggarwal ’967 patent”), which is entitled “System
9 and Method for Enhancing Performance of Personal Video Recording (PVR)
10 Functions on HITS Digital Video Streams.” The Aggarwal ’967 patent issued on
11 March 11, 2008 to inventors Gaurav Aggarwal, Marcus Kellerman, David Erickson,
12 Jason Demas, Sandeep Bhatia, Girish Hulmani, and Arun Gopalakrishna Rao from
13 United States Patent Application No. 10/317,642, filed on December 11, 2002. A
14 true and correct copy of the Aggarwal ’967 patent is attached as **Exhibit E** to this
15 Complaint.

16 **BACKGROUND**

17 12. Founded by Henry Samueli and Henry Nicholas in 1991 in Los
18 Angeles, California, Broadcom has grown to be a global leader in the semiconductor
19 industry. Broadcom provides one of the industry’s broadest portfolios of highly-
20 integrated SoCs that seamlessly deliver voice, video, data, and multimedia
21 connectivity in the home, office, and mobile environments. From its headquarters in
22 Irvine, California, Broadcom has expanded its footprint across the United States and
23 around the world, employing thousands of individuals globally and in the United
24 States. A brief overview of Broadcom’s history can be found on its website at:
25 <https://www.broadcom.com/company/about-us/company-history/>.

26 13. Broadcom’s continued success depends in substantial part upon its
27 constant attention to research and development. From 2015 to 2016, Broadcom
28 spent \$3.7 billion on research and development for its products. \$2.7 billion of the

1 \$3.7 billion was spent in 2016 alone. **Exhibit F** (Broadcom Limited 2016 Form 10-
2 K), at 47. Prior to its acquisition, Broadcom Corporation's research and
3 development expense was \$2.37 billion, \$2.49 billion and \$2.32 billion in 2014,
4 2013, and 2012, respectively. **Exhibit G** (Broadcom Limited 2014 Form 10-K), at
5 6.

6 14. Broadcom relies on the patent system as an important part of its
7 intellectual property program to protect the valuable technology and inventions
8 resulting from this research and development. As of October 30, 2016, Broadcom
9 Limited had approximately 27,640 U.S. and other patents and approximately 3,020
10 U.S. and other pending patent applications. Broadcom Limited's research and
11 development efforts are presently resulting in approximately 350 new patent
12 applications per year. **Exhibit F** (Broadcom Limited 2016 Form 10-K), at 8.

13 15. The Accused Products are generally semiconductor components (such
14 as, for example, various system on a chip ("SoC") and similar processing
15 components and circuits) and consumer audiovisual products containing the same,
16 including, without limitation, digital televisions ("DTVs"), set-top boxes, Blu-ray
17 disc players, DVD players/recorders, DTV/DVD combinations, DTV/Blu-Ray
18 combinations, multimedia streaming players, home theater systems, and other
19 similar audiovisual devices and systems imported, marketed and/or sold by LG in
20 the United States.

21 16. On information and belief, LG directly infringes, induces infringement
22 of, and contributorily infringes the Patents-In-Suit by making, using, selling,
23 offering for sale, and importing articles, including specific SoCs and any processing
24 components and circuits that feature the same or substantially similar infringing
25 functionality, which are covered by the claims of the Patents-In-Suit.

26 17. On information and belief, LG directly infringes, induces infringement
27 of, and contributorily infringes the Patents-In-Suit by making, using, selling,
28 offering for sale, and importing articles, including consumer audiovisual products

1 that incorporate the above accused SoCs, which are covered by the claims of the
2 Patents-In-Suit.

3 18. On information and belief, in addition to the specific SoCs and
4 televisions listed below in Count 1-5, any processing components and circuits that
5 feature the same or substantially similar infringing functionality and any consumer
6 audiovisual products of LG that incorporate such SoCs, or similar processing
7 components and circuits, infringe the Patents-In-Suit.

8 **COUNT 1**

9 **(Infringement of the MacInnis '844 Patent)**

10 19. Broadcom incorporates by reference each and every allegation in the
11 preceding paragraphs.

12 20. Defendants are making, using, offering to sell, selling, and/or importing
13 into the United States products that infringe at least claim 1 of the MacInnis '844
14 patent, including but not limited to the following products: LG 60UH8500 Smart
15 LED TV (incorporates LG LG1312 ARM 1614 B1 TGP816.00A); LG OLED55C6P
16 OLED 4K HDR Smart TV (incorporates LG LG1312 ARM 1621 B1
17 TGV098.00A); and LG 55UH7700 Smart LED TV (incorporates LG XD Engine
18 LGE6551-AA2 G5E73E1 GG23C).

19 21. Defendants have had actual knowledge of the MacInnis '844 patent
20 since at least as of the date they were served with this Complaint, and at least since
21 that date have had actual knowledge that one or more of their products infringes one
22 or more claims of the MacInnis '844 patent.

23 22. On information and belief, Defendants have induced and will continue
24 to induce the infringement of at least one claim of the MacInnis '844 patent, in
25 violation of 35 U.S.C. § 271(b), by, among other things, actively and knowingly
26 aiding and abetting others (including Defendants' sales and service subsidiaries,
27 Defendants' authorized dealers and repair service providers, manufacturers who
28 incorporate Defendants' products into downstream consumer products, retailers of

1 downstream consumer products that incorporate Defendants' products, and
2 consumers and end users) to infringe the MacInnis '844 patent with the specific
3 intent to encourage their infringement, through activities such as marketing
4 Defendants' products, creating and/or distributing drivers, data sheets, application
5 notes, and/or similar materials with instructions on using or rendering operable
6 downstream consumer products that incorporate Defendants' products.

7 23. On information and belief, the Defendants contribute to the
8 infringement of one or more claims of the MacInnis '844 patent, in violation of 35
9 U.S.C. § 271(c), by, among others, end users, because they know that the Accused
10 Products – and, specifically, their above-mentioned products that incorporate the
11 accused SoCs – embody a material part of the claimed inventions of the MacInnis
12 '844 patent, that they are specially made or specially adapted for use in an
13 infringement of the claims, and that they are not staple articles of commerce suitable
14 for substantial non-infringing use.

15 24. On information and belief, Defendants' past and continuing
16 infringement has been deliberate and willful, and this case is therefore an
17 exceptional case, which warrants an award of treble damages and attorneys' fees to
18 Plaintiff pursuant to 35 U.S.C. § 285. After receiving actual knowledge of the
19 MacInnis '844 patent, Defendants have continued to make, use, sell, offer for sale,
20 and/or import infringing products into the United States despite knowing that there
21 was an objectively high likelihood of infringement of the MacInnis '844 patent. To
22 the extent Defendants did not know of the objectively high likelihood of
23 infringement, it was so obvious that it should have been known to Defendants.

24 25. The infringement of the MacInnis '844 patent by Defendants will
25 continue unless enjoined by this Court.

26 26. The infringing activities by Defendants have caused and will continue
27 to cause irreparable injury to Broadcom for which there exists no adequate remedy
28 at law.

COUNT 2

(Infringement of the Gordon '059 Patent)

27. Broadcom incorporates by reference each and every allegation in the preceding paragraphs.

28. Defendants are making, using, offering to sell, selling, and/or importing into the United States products that infringe at least claims 11 ad 21 of the Gordon '059 patent, including but not limited to the following products: LG 60UH8500 Smart LED TV (incorporates LG LG1312 ARM 1614 B1 TGP816.00A); LG OLED55C6P OLED 4K HDR Smart TV (incorporates LG LG1312 ARM 1621 B1 TGV098.00A); and LG 55UH7700 Smart LED TV (incorporates LG XD Engine LGE6551-AA2 G5E73E1 GG23C).

29. Defendants have had actual knowledge of the Gordon '059 patent since at least as of the date they were served with this Complaint, and at least since that date have had actual knowledge that one or more of their products infringes one or more claims of the Gordon '059 patent.

30. On information and belief, Defendants have induced and will continue to induce the infringement of at least one claim of the Gordon '059 patent, in violation of 35 U.S.C. § 271(b), by, among other things, actively and knowingly aiding and abetting others (including Defendants' sales and service subsidiaries, Defendants' authorized dealers and repair service providers, manufacturers who incorporate Defendants' products into downstream consumer products, retailers of downstream consumer products that incorporate Defendants' products, and consumers and end users) to infringe the Gordon '059 patent with the specific intent to encourage their infringement, through activities such as marketing Defendants' products, creating and/or distributing drivers, data sheets, application notes, and/or similar materials with instructions on using or rendering operable downstream consumer products that incorporate Defendants' products.

1 Aggarwal '171 patent, including but not limited to the following products: LG
2 60UH8500 Smart LED TV (incorporates LG LG1312 ARM 1614 B1
3 TGP816.00A); LG OLED55C6P OLED 4K HDR Smart TV (incorporates LG
4 LG1312 ARM 1621 B1 TGV098.00A); and LG 55UH7700 Smart LED TV
5 (incorporates LG XD Engine LGE6551-AA2 G5E73E1 GG23C).

6 37. Defendants have had actual knowledge of the Aggarwal '171 patent
7 since at least as of the date they were served with this Complaint, and at least since
8 that date have had actual knowledge that one or more of their products infringes one
9 or more claims of the Aggarwal '171 patent.

10 38. On information and belief, Defendants have induced and will continue
11 to induce the infringement of at least one claim of the Aggarwal '171 patent, in
12 violation of 35 U.S.C. § 271(b), by, among other things, actively and knowingly
13 aiding and abetting others (including Defendants' sales and service subsidiaries,
14 Defendants' authorized dealers and repair service providers, manufacturers who
15 incorporate Defendants' products into downstream consumer products, retailers of
16 downstream consumer products that incorporate Defendants' products, and
17 consumers and end users) to infringe the Aggarwal '171 patent with the specific
18 intent to encourage their infringement, through activities such as marketing
19 Defendants' products, creating and/or distributing drivers, data sheets, application
20 notes, and/or similar materials with instructions on using or rendering operable
21 downstream consumer products that incorporate Defendants' products.

22 39. On information and belief, the Defendants contribute to the
23 infringement of one or more claims of the Aggarwal '171 patent, in violation of 35
24 U.S.C. § 271(c), by, among others, end users, because they know that the Accused
25 Products – and, specifically, their above-mentioned products that incorporate the
26 accused SoCs – embody a material part of the claimed inventions of the Aggarwal
27 '171 patent, that they are specially made or specially adapted for use in an
28

1 infringement of the claims, and that they are not staple articles of commerce suitable
2 for substantial non-infringing use.

3 40. On information and belief, Defendants' past and continuing
4 infringement has been deliberate and willful, and this case is therefore an
5 exceptional case, which warrants an award of treble damages and attorneys' fees to
6 Plaintiff pursuant to 35 U.S.C. § 285. After receiving actual knowledge of the
7 Aggarwal '171 patent, Defendants have continued to make, use, sell, offer for sale,
8 and/or import infringing products into the United States despite knowing that there
9 was an objectively high likelihood of infringement of the Aggarwal '171 patent. To
10 the extent Defendants did not know of the objectively high likelihood of
11 infringement, it was so obvious that it should have been known to Defendants.

12 41. The infringement of the Aggarwal '171 patent by Defendants will
13 continue unless enjoined by this Court.

14 42. The infringing activities by Defendants have caused and will continue
15 to cause irreparable injury to Broadcom for which there exists no adequate remedy
16 at law.

17 **COUNT 4**

18 **(Infringement of the MacInnis '104 Patent)**

19 43. Broadcom incorporates by reference each and every allegation in the
20 preceding paragraphs.

21 44. Defendants are making, using, offering to sell, selling, and/or importing
22 into the United States products that infringe at least claims 1, 11, and 17 of the
23 MacInnis '104 patent, including but not limited to the following products: LG
24 60UH8500 Smart LED TV (incorporates LG LG1312 ARM 1614 B1
25 TGP816.00A); LG OLED55C6P OLED 4K HDR Smart TV (incorporates LG
26 LG1312 ARM 1621 B1 TGV098.00A); and LG 55UH7700 Smart LED TV
27 (incorporates LG XD Engine LGE6551-AA2 G5E73E1 GG23C).

1 45. Defendants have had actual knowledge of the MacInnis '104 patent
2 since at least as of the date they were served with this Complaint, and at least since
3 that date have had actual knowledge that one or more of their products infringes one
4 or more claims of the MacInnis '104 patent.

5 46. On information and belief, Defendants have induced and will continue
6 to induce the infringement of at least one claim of the MacInnis '104 patent, in
7 violation of 35 U.S.C. § 271(b), by, among other things, actively and knowingly
8 aiding and abetting others (including Defendants' sales and service subsidiaries,
9 Defendants' authorized dealers and repair service providers, manufacturers who
10 incorporate Defendants' products into downstream consumer products, retailers of
11 downstream consumer products that incorporate Defendants' products, and
12 consumers and end users) to infringe the MacInnis '104 patent with the specific
13 intent to encourage their infringement, through activities such as marketing
14 Defendants' products, creating and/or distributing drivers, data sheets, application
15 notes, and/or similar materials with instructions on using or rendering operable
16 downstream consumer products that incorporate Defendants' products.

17 47. On information and belief, the Defendants contribute to the
18 infringement of one or more claims of the MacInnis '104 patent, in violation of 35
19 U.S.C. § 271(c), by, among others, end users, because they know that the Accused
20 Products – and, specifically, their above-mentioned products that incorporate the
21 accused SoCs – embody a material part of the claimed inventions of the MacInnis
22 '104 patent, that they are specially made or specially adapted for use in an
23 infringement of the claims, and that they are not staple articles of commerce suitable
24 for substantial non-infringing use.

25 48. On information and belief, Defendants' past and continuing
26 infringement has been deliberate and willful, and this case is therefore an
27 exceptional case, which warrants an award of treble damages and attorneys' fees to
28 Plaintiff pursuant to 35 U.S.C. § 285. After receiving actual knowledge of the

1 MacInnis '104 patent, Defendants have continued to make, use, sell, offer for sale,
 2 and/or import infringing products into the United States despite knowing that there
 3 was an objectively high likelihood of infringement of the MacInnis '104 patent. To
 4 the extent Defendants did not know of the objectively high likelihood of
 5 infringement, it was so obvious that it should have been known to Defendants.

6 49. The infringement of the MacInnis '104 patent by Defendants will
 7 continue unless enjoined by this Court.

8 50. The infringing activities by Defendants have caused and will continue
 9 to cause irreparable injury to Broadcom for which there exists no adequate remedy
 10 at law.

11 **COUNT 5**

12 **(Infringement of the Aggarwal '967 Patent)**

13 51. Broadcom incorporates by reference each and every allegation in the
 14 preceding paragraphs.

15 52. Defendants are making, using, offering to sell, selling, and/or importing
 16 into the United States products that infringe at least claim 1 of the Aggarwal '967
 17 patent, including but not limited to the following products: LG 60UH8500 Smart
 18 LED TV (incorporates LG LG1312 ARM 1614 B1 TGP816.00A); LG OLED55C6P
 19 OLED 4K HDR Smart TV (incorporates LG LG1312 ARM 1621 B1
 20 TGV098.00A); and LG 55UH7700 Smart LED TV (incorporates LG XD Engine
 21 LGE6551-AA2 G5E73E1 GG23C).

22 53. Defendants have had actual knowledge of the Aggarwal '967 patent
 23 since at least as of the date they were served with this Complaint, and at least since
 24 that date have had actual knowledge that one or more of their products infringes one
 25 or more claims of the Aggarwal '967 patent.

26 54. On information and belief, Defendants have induced and will continue
 27 to induce the infringement of at least one claim of the Aggarwal '967 patent, in
 28 violation of 35 U.S.C. § 271(b), by, among other things, actively and knowingly

1 aiding and abetting others (including Defendants' sales and service subsidiaries,
2 Defendants' authorized dealers and repair service providers, manufacturers who
3 incorporate Defendants' products into downstream consumer products, retailers of
4 downstream consumer products that incorporate Defendants' products, and
5 consumers and end users) to infringe the Aggarwal '967 patent with the specific
6 intent to encourage their infringement, through activities such as marketing
7 Defendants' products, creating and/or distributing drivers, data sheets, application
8 notes, and/or similar materials with instructions on using or rendering operable
9 downstream consumer products that incorporate Defendants' products.

10 55. On information and belief, the Defendants contribute to the
11 infringement of one or more claims of the Aggarwal '967 patent, in violation of 35
12 U.S.C. § 271(c), by, among others, end users, because they know that the Accused
13 Products – and, specifically, their above-mentioned products that incorporate the
14 accused SoCs – embody a material part of the claimed inventions of the Aggarwal
15 '967 patent, that they are specially made or specially adapted for use in an
16 infringement of the claims, and that they are not staple articles of commerce suitable
17 for substantial non-infringing use.

18 56. On information and belief, Defendants' past and continuing
19 infringement has been deliberate and willful, and this case is therefore an
20 exceptional case, which warrants an award of treble damages and attorneys' fees to
21 Plaintiff pursuant to 35 U.S.C. § 285. After receiving actual knowledge of the
22 Aggarwal '967 patent, Defendants have continued to make, use, sell, offer for sale,
23 and/or import infringing products into the United States despite knowing that there
24 was an objectively high likelihood of infringement of the Aggarwal '967 patent. To
25 the extent Defendants did not know of the objectively high likelihood of
26 infringement, it was so obvious that it should have been known to Defendants.

27 57. The infringement of the Aggarwal '967 patent by Defendants will
28 continue unless enjoined by this Court.

1 58. The infringing activities by Defendants have caused and will continue
2 to cause irreparable injury to Broadcom for which there exists no adequate remedy
3 at law.

4 **PRAYER FOR RELIEF**

5 59. WHEREFORE, Broadcom requests that judgment be entered in its
6 favor and against Defendants as follows:

7 A. Entering judgment declaring that Defendants have infringed,
8 directly and/or indirectly, literally and/or under the doctrine of equivalents,
9 the Patents-in-Suit in violation of 35 U.S.C. § 271;

10 B. Issuing preliminary and permanent injunctions enjoining
11 Defendants, their officers, agents, subsidiaries and employees, and those in
12 privity or in active concert with them, from further activities that constitute
13 infringement of the Patents-in-Suit, within the State of California and across
14 the United States;

15 C. Declaring that Defendants' infringement of the Patents-in-Suit is
16 willful and deliberate pursuant to 35 U.S.C. § 284;

17 D. Ordering that Broadcom be awarded damages in an amount no
18 less than a reasonable royalty for each asserted patent arising out of
19 Defendants' infringement of the Patents-in-Suit, together with costs, and pre-
20 and post-judgment interest;

21 E. Declaring this an exceptional case under 35 U.S.C. § 285 and
22 awarding attorneys' fees and trebling of damages; and

23 F. Awarding Broadcom such other costs and further relief as the
24 Court deems just and proper.

25 **DEMAND FOR JURY TRIAL**

26 60. Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Broadcom
27 demands a trial by jury on all issues so triable.
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1 DATED: March 7, 2017

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3 Respectfully submitted,

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6 By: /s/ Laurie Edelstein

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