**IN THE UNITED STATES DISTRICT COURT**
**EASTERN DISTRICT OF TEXAS**
**MARSHALL DIVISION**

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| **ADVANCED INTEGRATED CIRCUIT PROCESS LLC,**<br><br>**Plaintiff,**<br><br>**v.**<br><br>**UNITED MICROELECTRONICS CORPORATION,**<br><br>**Defendant.** | **Case No. 2:24-cv-00730-JRG**<br>**(Lead Case)**<br><br>**JURY TRIAL DEMANDED** |
| **ADVANCED INTEGRATED CIRCUIT PROCESS LLC,**<br><br>**Plaintiff,**<br><br>**v.**<br><br>**TAIWAN SEMICONDUCTOR MANUFACTURING COMPANY LIMITED,**<br><br>**Defendant.** | **Case No. 2:24-cv-00623-JRG**<br>**(Member Case)**<br><br>**JURY TRIAL DEMANDED** |

## DEFENDANT TSMC LTD.'S ANSWER

Defendant Taiwan Semiconductor Manufacturing Company Limited ("TSMC Ltd."), by and through its undersigned counsel, respond to Plaintiff Advanced Integrated Circuit Process LLC ("AICP")'s Complaint for Patent Infringement ("Complaint"). The numbered paragraphs in this Answer correspond to the like-numbered paragraphs of the Complaint, to the extent applicable. TSMC Ltd. denies all allegations and characterizations except those specifically admitted.

## PARTIES

1. TSMC Ltd. is without knowledge or information sufficient to form a belief about the truth of the allegations in Paragraph 1 of the Complaint and therefore denies them.

2. TSMC Ltd. admits it is a Taiwanese corporation organized and existing under the laws of Taiwan. TSMC Ltd. admits it has a principal place of business located at 8, Li-Hsin Rd. 6, Hsinchu Science Park, Hsinchu 300-096, Taiwan, R.O.C. To the extent Paragraph 2 asserts legal conclusions, no response is required. TSMC Ltd. denies all remaining allegations in Paragraph 2.

**JURISDICTION AND VENUE**

3. TSMC Ltd. admits that the Court has subject matter over patent infringement cases pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action arises under the patent laws of the United States, 35 U.S.C. §§ 1 *et seq.* TSMC Ltd. denies that AICP is entitled to any relief for its allegations of patent infringement, whether by award of damages, injunction, or otherwise. TSMC Ltd. denies any allegations of infringement and any remaining allegations in Paragraph 6.

4. TSMC Ltd. does not contest, solely for the purpose of the present litigation, whether personal jurisdiction properly lies in this District. TSMC Ltd. denies the remaining allegations in Paragraph 4.

5. TSMC Ltd. does not contest, solely for the purpose of the present litigation, whether personal jurisdiction properly lies in this District. TSMC Ltd. denies the remaining allegations in Paragraph 5.

6. TSMC Ltd. does not contest, solely for the purpose of the present litigation, whether personal jurisdiction properly lies in this District. TSMC Ltd. denies the remaining allegations in Paragraph 6.

7. TSMC Ltd. admits that it has subsidiaries. TSMC Ltd. admits that TSMC Technology, Inc. is a wholly owned subsidiary of TSMC Ltd. TSMC Ltd. admits that TSMC

North America is a wholly owned subsidiary of TSMC Ltd. TSMC Ltd. denies all remaining allegations in Paragraph 7.

8. TSMC Ltd. admits that it published a 2023 Annual Report. To the extent the allegations in this paragraph purport to describe or quote any documents or webpages, TSMC Ltd. states that those materials speak for themselves. TSMC Ltd. admits that TSMC North America was incorporated in 1988, and TSMC Technology, Inc. was incorporated in 1996. TSMC Ltd. denies all remaining allegations in Paragraph 8.

9. Denied.

10. TSMC Ltd. adm its that its stock is traded on the New York Stock Exchange. TSMC Ltd. does not have knowledge or information sufficient to know the meanings of "majority of" and "net revenue" as used in paragraph 10 and thus denies the allegations in Paragraph 10. To the extent the allegations in this paragraph purport to describe or quote any documents or webpages, TSMC states that those materials speak for themselves. TSMC Ltd. denies all remaining allegations in Paragraph 10.

11. TSMC Ltd. does not have knowledge or information sufficient to know the meanings of "much of," "net revenue," and "[TSMC's] products" as used in paragraph 11 and thus denies the allegations in Paragraph 11. To the extent the allegations in this paragraph purport to describe or quote any documents or webpages, TSMC states that those materials speak for themselves. TSMC Ltd. denies all remaining allegations in Paragraph 11.

12. TSMC Ltd. admits that it filed a 20-F form in 2023 and for at least the five years preceding. TSMC Ltd. denies the characterization of statements in Paragraph 12 of the material allegedly contained in the 20-F form. To the extent the allegations in this paragraph purport to describe or quote any documents or webpages, TSMC Ltd. states that those materials speak for

themselves. TSMC Ltd. is without knowledge or information sufficient to form a belief about the truth of the remaining allegations regarding other companies and thus denies them. TSMC Ltd. denies all remaining allegations in Paragraph 12.

13. Denied.

14. Denied.

15. TSMC Ltd. is without knowledge or information sufficient to form a belief about the truth of the allegations regarding Apple and thus denies them. To the extent the allegations in this paragraph purport to describe or quote any documents or webpages, TSMC Ltd. states that those materials speak for themselves. TSMC Ltd. denies all remaining allegations in Paragraph 15.

16. TSMC Ltd. admits that TSMC Washington, LLC is a wholly owned subsidiary that operates in Washington State and was incorporated in 1996. TSMC Ltd. admits that TSMC Arizona Corporation is a wholly owned subsidiary in Arizona and was incorporated in 2020. To the extent the allegations in this paragraph purport to describe or quote any documents or webpages, TSMC Ltd. states that those materials speak for themselves. TSMC Ltd. denies the remaining allegations in Paragraph 16.

17. TSMC Ltd. admits that TSMC Ltd. fabricates semiconductor wafers outside the United States for Apple including the Apple A15 Bionic chip. TSMC Ltd. is without knowledge or information sufficient to form a belief about the truth of the remaining allegations and thus denies the remaining allegations in Paragraph 17. TSMC Ltd. denies any and all allegations that anything that TSMC Ltd. manufactures infringes the Asserted Patents.

18. Denied.

19. Paragraph 19 asserts legal conclusions and, thus, no response is required. To the extent a response is required, however, TSMC Ltd. denies the allegations in Paragraph 19.

20. TSMC Ltd. admits that it filed a 20-F form in 2023 and published an Annual Report in 2023. TSMC Ltd. denies the characterization of purported activities of TSMC Ltd. in Paragraph 20 as incomplete, misleading, and inaccurate. To the extent the allegations in this paragraph purport to describe or quote any documents or webpages, TSMC Ltd. states that those materials speak for themselves. TSMC Ltd. denies the characterization of statements in Paragraph 20 of the material contained in the 2023 20-F and denies the remaining allegations in Paragraph 20.

21. TSMC Ltd. does not have knowledge or information sufficient to form a belief about the truth of allegations regarding NXP and Freescale, and on this basis denies such allegations. To the extent the allegations in this paragraph purport to describe or quote any documents, TSMC Ltd. states that those materials speak for themselves. TSMC Ltd. denies the remaining allegations in Paragraph 21.

22. TSMC Ltd. denies the characterization of purported activities of TSMC Ltd. in Paragraph 22 as incomplete, misleading, and inaccurate. To the extent the allegations in this paragraph purport to describe or quote any documents or webpages, TSMC Ltd. states that those materials speak for themselves. TSMC Ltd. is without knowledge or information sufficient to form a belief about the truth of the remaining allegations regarding NXP and thus denies them. TSMC Ltd. denies the remaining allegations in Paragraph 22.

23. TSMC Ltd. denies the characterization of purported activities of TSMC Ltd. in Paragraph 23 as incomplete and misleading and thus inaccurate. TSMC Ltd. denies the remaining allegations in Paragraph 23.

24. Denied.

25. Denied.

26. Denied.

27. Paragraph 27 asserts legal conclusions and, thus, no response is required. To the extent a response is required, however, TSMC Ltd. denies the allegations in Paragraph 27.

28. Paragraph 28 asserts legal conclusions and, thus, no response is required. To the extent a response is required, TSMC Ltd. admits it is a foreign corporation with headquarters located outside the United States. TSMC Ltd. denies that venue is convenient in this District pursuant to 28 U.S.C. § 1404. TSMC Ltd. denies the remaining allegations of Paragraph 28.

**THE PATENTS**

29. TSMC Ltd. admits that AICP has filed a Complaint alleging infringement of United States Patent No. 7,579,227 (the "'227 Patent"), United States Patent No. 7,923,764 (the "'764 Patent"), United States Patent No. 8,198,686 (the "'686 Patent"), United States Patent No. 8,253,180 (the "'180 Patent"), United States Patent No. 8,587,076 (the "'076 Patent"), United States Patent No. 8,796,779 (the "'779 Patent"), and United States Patent No. 8,907,425 (the "'425 Patent") (collectively, the "Asserted Patents"). TSMC Ltd. denies that it has infringed any of these patents. TSMC Ltd. denies that AICP is entitled to any relief for its allegations of patent infringement, whether by award of damages, injunction, or otherwise. TSMC Ltd. denies the remaining allegations in Paragraph 29.

30. Because Paragraph 30 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 30.

**U.S. Patent No. 7,579,227**

31. TSMC Ltd. admits that the face of U.S. Patent No. 7,579,227 bears the title "Semiconductor Device and Method for Fabricating the Same," and bears the names of purported inventors Junji Hirase, Akio Sebe, Naoki Kotani, Gen Okazaki, Kazuhiko Aida, and Shinji Takeoka. TSMC Ltd. admits that the face of the '227 Patent reflects an issuance date of August 25, 2009. TSMC Ltd. admits that AICP attached a purported copy of the '227 Patent as Exhibit A to the Complaint. TSMC Ltd. is without knowledge or information sufficient to form a belief about the truth of the remaining allegations in Paragraph 31 and therefore denies them.

32. Because Paragraph 32 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 32.

33. Denied.

34. Denied.

**U.S. Patent No. 7,923,764**

35. TSMC Ltd. admits that the face of U.S. Patent No. 7,923,764 bears the title "Semiconductor Device and Method for Fabricating the Same," and bears the names of purported inventors Junji Hirase, Akio Sebe, Naoki Kotani, Gen Okazaki, Kazuhiko Aida, and Shinji Takeoka. TSMC Ltd. admits that the face of the '764 Patent reflects an issuance date of April 12, 2011. TSMC Ltd. admits that AICP attached a purported copy of the '764 Patent as Exhibit B to the Complaint. TSMC Ltd. is without knowledge or information sufficient to form a belief about the truth of the remaining allegations in Paragraph 35 and therefore denies them.

36. TSMC Ltd. admits that the face of the '764 Patent states the '764 Patent is a division of application No. 11/491,260, now the '227 Patent. Because Paragraph 36 recites and

implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all remaining allegations in Paragraph 36.

37. Because Paragraph 37 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 37.

38. Denied.

39. Denied.

**U.S. Patent 8,253,180**

40. TSMC Ltd. admits that the face of U.S. Patent No. 8,253,180 bears the title "Semiconductor Device," and bears the names of purported inventors Junji Hirase, Akio Sebe, Naoki Kotani, Gen Okazaki, Kazuhiko Aida, and Shinji Takeoka. TSMC Ltd. admits that the face of the '180 Patent reflects an issuance date of August 28, 2012. TSMC Ltd. admits that AICP attached a purported copy of the '180 Patent as Exhibit C to the Complaint. TSMC Ltd. is without knowledge or information sufficient to form a belief about the truth of the remaining allegations in Paragraph 40 and therefore denies them.

41. TSMC Ltd. admits that the face of the '180 Patent states the '180 Patent is a division of application No. 12/505,799, now the '764 Patent. Because Paragraph 41 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all remaining allegations in Paragraph 41.

42. Because Paragraph 42 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 42.

43. Denied.

44. Denied.

**U.S. Patent No. 8,587,076**

45. TSMC Ltd. admits that the face of U.S. Patent No. 8,587,076 bears the title "Semiconductor Device," and bears the names of purported inventors Junji Hirase, Akio Sebe, Naoki Kotani, Gen Okazaki, Kazuhiko Aida, and Shinji Takeoka. TSMC Ltd. admits that the face of the '076 Patent reflects an issuance date of November 19, 2013. TSMC Ltd. admits that AICP attached a purported copy of the '076 Patent as Exhibit D to the Complaint. TSMC Ltd. is without knowledge or information sufficient to form a belief about the truth of the remaining allegations in Paragraph 45 and therefore denies them.

46. TSMC Ltd. admits that the face of the '076 Patent states the '076 Patent is a division of application No. 13/037,831, now the '180 Patent. Because Paragraph 46 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all remaining allegations in Paragraph 46.

47. Because Paragraph 47 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 47.

48. Denied.

49. Denied.

**U.S. Patent No. 8,198,686**

50. TSMC Ltd. admits that the face of U.S. Patent No. 8,198,686 bears the title "Semiconductor Device," and bears the names of purported inventors Yoshihiro Sato and Hisashi Ogawa. TSMC Ltd. admits that the face of the '686 Patent reflects an issuance date of June 12, 2012. TSMC Ltd. admits that AICP attached a purported copy of the '686 Patent as Exhibit E to the Complaint. TSMC Ltd. is without knowledge or information sufficient to form a belief about the truth of the remaining allegations in Paragraph 50 and therefore denies them.

51. Because Paragraph 51 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 51.

52. Denied.

53. Denied.

**U.S. Patent No. 8,796,779**

54. TSMC Ltd. admits that the face of U.S. Patent No. 8,796,779 bears the title "Semiconductor Device," and bears the names of purported inventors Satoru Ito, Yoshiya Moriyama, Hiroshi Ohkawa, Susumu Akamatsu. TSMC Ltd. admits that the face of the '779 Patent reflects an issuance date of August 5, 2014. TSMC Ltd. admits that AICP attached a purported copy of the '779 Patent as Exhibit F to the Complaint. TSMC Ltd. is without knowledge or information sufficient to form a belief about the truth of the remaining allegations in Paragraph 54 and therefore denies them.

55. Because Paragraph 55 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 55.

56. Denied.

57. Denied.

**U.S. Patent No. 8,907,425**

58. TSMC Ltd. admits that the face of U.S. Patent No. 8,907,425 bears the title "Semiconductor Device," and bears the names of purported inventors Satoru Itou and Toshie Kutsunai. TSMC Ltd. admits that the face of the '425 Patent reflects an issuance date of December 9, 2014. TSMC Ltd. admits that AICP attached a purported copy of the '425 Patent as Exhibit G to the Complaint. TSMC Ltd. is without knowledge or information sufficient to form a belief about the truth of the remaining allegations in Paragraph 58 and therefore denies them.

59. Because Paragraph 59 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 59.

60. Denied.

61. Denied.

**TSMC'S [ALLEGED] USE OF AICP'S PATENTED TECHNOLOGY**

62. TSMC Ltd. admits that it manufactures semiconductor wafers at various process nodes. TSMC Ltd. is without knowledge or information sufficient to form a belief about the truth of the allegations regarding how customers of TSMC Ltd. use semiconductor devices manufactured by TSMC Ltd. and thus denies all remaining allegations in Paragraph 62.

63. TSMC Ltd. admits that TSMC Ltd. manufactures semiconductor wafers outside the United States for NXP Semiconductors N.V. using a 28 nanometer process node. TSMC Ltd. is without knowledge or information sufficient to form a belief about whether the T2081, specifically, is manufactured by TSMC Ltd. and therefore denies the remaining allegations in Paragraph 63. TSMC Ltd. denies any and all allegations that anything that TSMC Ltd. manufactures infringes the Asserted Patents.

64. To the extent the allegations in this paragraph purport to describe or quote any documents or webpages, TSMC Ltd. states that those materials speak for themselves. TSMC Ltd. admits that TSMC Ltd. manufactures semiconductor wafers using various process nodes. TSMC Ltd. is without knowledge or information sufficient to form a belief about the truth of the remaining allegations in Paragraph 64, including statements allegedly made by Freescale, and thus denies the remaining allegations in Paragraph 64.

65. To the extent the allegations in this paragraph purport to describe or quote any documents or webpages, TSMC Ltd. states that those materials speak for themselves. TSMC

Ltd. is without knowledge or information sufficient to form a belief about the truth of the remaining allegations in Paragraph 65, including statements allegedly made by NXP, and thus denies the remaining allegations in Paragraph 65.

66. TSMC Ltd. admits that TSMC Ltd. manufactures semiconductor wafers outside the United States for MediaTek using various process nodes. To the extent the allegations in this paragraph purport to describe or quote any documents or webpages, TSMC Ltd. states that those materials speak for themselves. TSMC Ltd. is without knowledge or information sufficient to form a belief about the remaining allegations in paragraph 66 and therefore denies them. TSMC Ltd. denies any and all allegations that anything that TSMC Ltd. manufactures infringes the Asserted Patents.

67. Because Paragraph 67 contains nothing more than attorney argument, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 67.

68. TSMC Ltd. admits that TSMC Ltd. manufactures the A15 Bionic semiconductor device for Apple outside the United States. TSMC Ltd. denies the remaining allegations in Paragraph 68. TSMC Ltd. denies any and all allegations that anything that TSMC Ltd. manufactures infringes the Asserted Patents.

69. TSMC Ltd. admits that TSMC Ltd. manufactures the A15 Bionic semiconductor device outside the United States using a 5 nanometer FinFET manufacturing process. To the extent the allegations in this paragraph purport to describe or quote any documents or webpages, TSMC Ltd. states that those materials speak for themselves. TSMC Ltd. denies the remaining allegations in Paragraph 69. TSMC Ltd. denies any and all allegations that anything that TSMC Ltd. manufactures infringes the Asserted Patents.

70. Because Paragraph 70 contains nothing more than attorney argument, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 70.

**COUNT ONE**
**[ALLEGED] INFRINGEMENT OF U.S. PATENT NO. 7,579,227**

71. TSMC Ltd. incorporates by reference its responses in the preceding paragraphs as if fully stated herein.

72. Denied.

73. TSMC Ltd. admits that Paragraph 73 sets forth purported Claim 1 of the '227 Patent. TSMC Ltd. denies the remaining allegations in Paragraph 73.

74. Denied.

75. Because Paragraph 75 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 75.

76. Because Paragraph 76 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 76.

77. Because Paragraph 77 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 77.

78. Because Paragraph 78 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 78.

79. Denied.

80. Denied.

81. Denied.

82. To the extent the allegations in this paragraph purport to describe or quote any documents or webpages, TSMC Ltd. states that those materials speak for themselves. TSMC

Ltd. does not have sufficient knowledge or information about the remaining allegations in this Paragraph, including any alleged news article, to form a belief about the truth of the allegations, and therefore denies the remaining allegations in Paragraph 82.

83. To the extent the allegations in this paragraph purport to describe or quote any documents or webpages, TSMC Ltd. states that those materials speak for themselves. TSMC Ltd. denies the characterization of the quoted statements. To the extent Paragraph 83 recites or implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 83.

84. To the extent the allegations in this paragraph purport to describe or quote any documents or webpages, TSMC Ltd. states that those materials speak for themselves. TSMC Ltd. denies the characterization of the cited statements. To the extent Paragraph 84 recites or implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 84.

85. Denied.

86. Denied.

87. Denied.

88. Denied.

89. To the extent the allegations in this paragraph purport to describe or quote any documents or webpages, TSMC Ltd. states that those materials speak for themselves. TSMC Ltd. does not have sufficient knowledge or information about the remaining allegations, including any alleged paper by "two researchers at National Taiwan university," to form a belief about the truth of the remaining allegations and therefore denies them. TSMC Ltd. denies the remaining allegations of Paragraph 89.

90. Denied.

**COUNT TWO**
**[ALLEGED] INFRINGEMENT OF U.S. PATENT NO. 7,923,764**

91. TSMC Ltd. incorporates by reference its responses in the preceding paragraphs as if fully stated herein.

92. Denied.

93. TSMC Ltd. admits that Paragraph 93 sets forth purported Claim 1 of the '764 Patent. TSMC Ltd. denies the remaining allegations in Paragraph 93.

94. Denied.

95. Because Paragraph 95 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 95.

96. Because Paragraph 96 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 96.

97. Denied.

98. Denied.

99. Denied.

100. Denied.

101. Denied.

102. Denied.

103. Denied.

104. Denied.

105. Denied.

**COUNT THREE**
**[ALLEGED] INFRINGEMENT OF U.S. PATENT NO. 8,198,686**

106. TSMC Ltd. incorporates by reference its responses in the preceding paragraphs as if fully stated herein.

107. Denied.

108. TSMC Ltd. admits that Paragraph 108 sets forth purported Claim 25 of the '686 Patent. TSMC Ltd. denies the remaining allegations in Paragraph 108.

109. Denied.

110. Because Paragraph 110 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 110.

111. Because Paragraph 111 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 111.

112. Because Paragraph 112 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 112.

113. Because Paragraph 113 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 113.

114. Because Paragraph 114 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 114.

115. Denied.

116. Denied.

117. Denied.

118. Denied.

119. Denied.

120. Denied.

121. Denied.

122. Denied.

**COUNT FOUR**
**[ALLEGED] INFRINGEMENT OF U.S. PATENT NO. 8,253,180**

123. TSMC Ltd. incorporates by reference its responses in the preceding paragraphs as if fully stated herein.

124. Denied.

125. TSMC Ltd. admits that Paragraph 125 sets forth purported Claim 1 of the '180 Patent. TSMC Ltd. denies the remaining allegations in Paragraph 125.

126. Denied.

127. Because Paragraph 127 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 127.

128. Because Paragraph 128 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 128.

129. Denied.

130. Denied.

131. Denied.

132. Denied.

133. Denied.

134. Denied.

135. Denied.

136. Denied.

**COUNT FIVE**
**[ALLEGED] INFRINGEMENT OF U.S. PATENT NO. 8,587,076**

137. TSMC Ltd. incorporates by reference its responses in the preceding paragraphs as if fully stated herein.

138. Denied.

139. TSMC Ltd. admits that Paragraph 139 sets forth purported Claim 1 of the '076 Patent. TSMC Ltd. denies the remaining allegations in Paragraph 139.

140. Denied.

141. Because Paragraph 141 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 141.

142. Because Paragraph 142 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 142.

143. Denied.

144. Denied.

145. Denied.

146. Denied.

147. Denied.

148. Denied.

149. Denied.

150. Denied.

151. Denied.

**COUNT SIX**
**[ALLEGED] INFRINGEMENT OF U.S. PATENT NO. 8,796,779**

152. TSMC Ltd. incorporates by reference its responses in the preceding paragraphs as if fully stated herein.

153. Denied.

154. TSMC Ltd. admits that Paragraph 154 sets forth purported Claim 1 of the '779 Patent. TSMC Ltd. denies the remaining allegations in Paragraph 154.

155. Denied.

156. Because Paragraph 156 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 156.

157. Because Paragraph 157 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 157.

158. Because Paragraph 158 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 158.

159. Because Paragraph 159 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 159.

160. Because Paragraph 160 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 160.

161. Because Paragraph 161 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 161.

162. Because Paragraph 162 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 162.

163. Denied.

164. Denied.

165. Denied.

166. To the extent the allegations in this paragraph purport to describe or quote any documents or webpages, TSMC states that those materials speak for themselves. TSMC Ltd. does not have sufficient knowledge or information about the remaining allegations in this Paragraph, including about an alleged news article to form a belief about the truth of the allegations and thus denies the allegations in Paragraph 166. TSMC Ltd. denies the remaining allegations in Paragraph 166.

167. To the extent the allegations in this paragraph purport to describe or quote any documents or webpages, TSMC Ltd. states that those materials speak for themselves. TSMC Ltd. denies the characterization of statements allegedly made in a purported press release. TSMC Ltd. is without knowledge or information sufficient to form a belief about the truth of the remaining allegations in this Paragraph, including regarding statements allegedly made by

Cadence Design Systems, Inc., and thus denies the allegations in Paragraph 167. TSMC Ltd. denies the remaining allegations of Paragraph 167.

168. To the extent the allegations in this paragraph purport to describe or quote any documents or webpages, TSMC Ltd. states that those materials speak for themselves. TSMC Ltd. denies the characterization of TSMC Ltd.'s activities in Paragraph 168. TSMC Ltd. denies the remaining allegations of Paragraph 168.

169. Denied.

170. Denied.

171. Denied.

172. Denied.

**COUNT SEVEN**
**[ALLEGED] INFRINGEMENT OF U.S. PATENT NO. 8,907,425**

173. TSMC Ltd. incorporates by reference its responses in the preceding paragraphs as if fully stated herein.

174. Denied.

175. TSMC Ltd. admits that Paragraph 175 sets forth purported Claim 1 of the '425 Patent. TSMC Ltd. denies the remaining allegations in Paragraph 175.

176. Denied.

177. Because Paragraph 177 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 177.

178. Because Paragraph 178 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 178.

179. Because Paragraph 179 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 179.

180. Because Paragraph 180 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 180.

181. Because Paragraph 181 recites and implicates legal conclusions, no response is required. To the extent a response is required, TSMC Ltd. denies all allegations in Paragraph 181.

182. Denied.

183. Denied.

184. Denied.

185. Denied.

186. Denied.

187. Denied.

188. Denied.

189. Denied.

**[AICP'S] DEMAND FOR JURY TRIAL**

190. TSMC Ltd. is not required to provide a response to AICP's request for a trial by jury.

**[AICP'S] PRAYER FOR RELIEF**

191. TSMC Ltd. denies that AICP is entitled to any relief it seeks in its Complaint or any relief whatsoever.

## GENERAL DENIAL

192. To the extent that any allegations of the Complaint have not been previously specifically admitted or denied, TSMC Ltd. denies them.

## TSMC LTD.'S ADDITIONAL DEFENSES

Pursuant to the Federal Rule of Civil Procedure, TSMC Ltd., without waiver, limitation, or prejudice, hereby asserts the additional defenses listed below. TSMC Ltd. reserves the right to amend this Answer to add additional defenses, including allegations of inequitable conduct, and/or any other defenses currently unknown to TSMC Ltd., as they become known throughout the course of discovering in this action. Assertion of a defense is not a concession that TSMC Ltd. has the burden of proving the matter asserted.

### FIRST ADDITIONAL DEFENSE
### (Non-Infringement)

193. TSMC Ltd. does not and has not infringed, under any theory of infringement, (including directly (whether individually or jointly) or indirectly (whether contributorily or by inducement)), any valid and enforceable claim of the Asserted Patents, either literally or under the doctrine of equivalents, and has not committed any acts in violation of 35 U.S.C. § 271.

### SECOND ADDITIONAL DEFENSE
### (Invalidity)

194. Each asserted claim of the Asserted Patents is invalid for failure to comply with one or more of the requirements of United States Code, Title 35, including without limitation, 35 U.S.C. §§ 101, 102, 103, 112, 116, and/or 132 and the rules, regulations, and laws pertaining thereto.

195. One or more claims of the ’227 Patent fails to meet the conditions of patentability and/or otherwise comply with one or more provisions of 35 U.S.C. §§ 101, et seq., including §§ 101, 102, 103, and/or 112.

196. One or more claims of the ’764 Patent fails to meet the conditions of patentability and/or otherwise comply with one or more provisions of 35 U.S.C. §§ 101, et seq., including §§ 101, 102, 103, and/or 112.

197. One or more claims of the ’686 Patent fails to meet the conditions of patentability and/or otherwise comply with one or more provisions of 35 U.S.C. §§ 101, et seq., including §§ 101, 102, 103, and/or 112.

198. One or more claims of the ’180 Patent fails to meet the conditions of patentability and/or otherwise comply with one or more provisions of 35 U.S.C. §§ 101, et seq., including §§ 101, 102, 103, and/or 112.

199. One or more claims of the ’076 Patent fails to meet the conditions of patentability and/or otherwise comply with one or more provisions of 35 U.S.C. §§ 101, et seq., including §§ 101, 102, 103, and/or 112.

200. One or more claims of the ’779 Patent fails to meet the conditions of patentability and/or otherwise comply with one or more provisions of 35 U.S.C. §§ 101, et seq., including §§ 101, 102, 103, and/or 112.

201. One or more claims of the ’425 Patent fails to meet the conditions of patentability and/or otherwise comply with one or more provisions of 35 U.S.C. §§ 101, et seq., including §§ 101, 102, 103, and/or 112.

**THIRD ADDITIONAL DEFENSE**
**(Equitable Estoppel, Waiver, Laches, and/or Unclean Hands)**

202. AICP's attempted enforcement of the Asserted Patents against TSMC Ltd. is barred by equitable estoppel, waiver, prosecution laches, acquiescence, and/or unclean hands.

**FOURTH ADDITIONAL DEFENSE**
**(Prosecution History Estoppel and/or Disclaimer)**

203. AICP's claims are barred by the doctrine(s) of prosecution history estoppel and/or disclaimer based on statements, representations, and admissions made during prosecution of the patent applications resulting in the Asserted Patents.

**FIFTH ADDITIONAL DEFENSE**
**(Notice, Damages, Marking, and Costs)**

204. AICP has not suffered, and will not suffer, any injury or damages as a result of the alleged conduct by TSMC Ltd. in the Complaint, and AICP is not entitled to any damages under 35 U.S.C. § 284.

205. AICP's claims for relief are statutorily limited, in whole or in part, by Title 35 of the United States Code including, without limitation, 35 U.S.C. §§ 286 and 287. By way of example, AICP's recovery for alleged infringement of the Asserted Patents, if any, is limited to any alleged infringement committed no more than six years prior to the filing of a complaint, pursuant to § 286. By way of further example, to the extent that AICP and/or any predecessors in interest, or any licensees to the Asserted Patents, failed to properly mark any of their relevant products or materials as required by § 287, or otherwise failed to give proper notice that TSMC Ltd.'s actions allegedly infringe the Asserted Patents, TSMC Ltd. is not liable to AICP for the acts alleged to have been performed before TSMC Ltd. received actual notice that any accused instrumentalities, if any, were allegedly infringing the Asserted Patents.

206. AICP's recovery for alleged infringement of the Asserted Patents, if any, is also limited by the issuance and/or expiration dates of the Asserted Patents. AICP cannot recover damages for the time period before an Asserted Patent issued and/or for the time period after an Asserted Patent expired.

207. Further, to the extent that AICP's claims relate to the use or manufacture by or for the United States of the accused devices, AICP's claims are limited by 28 U.S.C. § 1498, and Plaintiff's sole remedy is an action for damages filed with the United States Court of Federal Claims pursuant to § 1498.

208. AICP is barred by 35 U.S.C. § 288 from recovering any costs associated with this action.

**SIXTH ADDITIONAL DEFENSE**
**(Covenant Not to Sue, License, Have-Made Rights and/or Estoppel)**

209. AICP's claims are barred because it and/or a predecessor of interest of the Asserted Patents entered an agreement providing TSMC Ltd. and/or TSMC Ltd.'s customers the protection of a covenant not to sue, a license (express or implied), and/or that legally estops AICP from bringing this lawsuit against TSMC Ltd. and/or TSMC Ltd.'s customers.

210. AICP's claims are barred, in whole or in part, to the extent any of the claims of the Asserted Patents are subject to the doctrine of patent exhaustion.

**SEVENTH ADDITIONAL DEFENSE**
**(Failure to State a Claim)**

211. AICP's Complaint fails to state a claim upon which relief can be granted.

**EIGHTH ADDITIONAL DEFENSE**
**(Extraterritoriality)**

212. TSMC Ltd. is not liable for patent infringement in the United States for making, using, selling, importing or offering for sale any accused instrumentalities outside of the United States.

**NINTH ADDITIONAL DEFENSE**
**(Standing)**

213. AICP's claims against TSMC Ltd. are barred to the extent that AICP lacks standing to sue for infringement of the Asserted Patents.

**TENTH ADDITIONAL DEFENSE**
**(No Injunction)**

214. AICP is not entitled to any injunctive relief because any alleged injury to AICP is not immediate or irreparable, and AICP has an adequate remedy at law for any alleged injury.

**ELEVENTH ADDITIONAL DEFENSE**
**(No Willful Infringement or Enhanced Damages)**

To the extent AICP alleges that TSMC Ltd. willfully infringes the Asserted Patents, its claims are barred, in whole or in part, for any time periods during which TSMC Ltd. did not know of the Asserted Patents and/or did not otherwise have the knowledge and/or specific intent required for willful infringement. Further, AICP is not entitled to any enhanced damages under 35 U.S.C. § 284 for any time period because TSMC Ltd. has not intentionally, willfully, or deliberately infringed any claim of the Asserted Patents, or acted with egregious conduct.

**TWELFTH ADDITIONAL DEFENSE**
**(Knowledge, Intent, and Substantial Non-Infringing Use)**

215. AICP's claims that TSMC Ltd. indirectly infringes the Asserted Patents, either contributorily or by inducement, are barred, in whole or in part, because TSMC Ltd. is not liable to AICP for the allegedly infringing acts for any time periods during which TSMC Ltd. did not

know of the Asserted Patents, and/or did not have the specific intent to cause infringement of the Asserted Patents, and/or otherwise did not know that its actions would constitute indirect infringement, and/or did not know that the actions of third parties would constitute direct infringement. In addition, any and all products or actions accused of infringement have substantial uses that do not infringe and do not induce or contribute to any infringement of the claims of the Asserted Patents.

## RESERVATION OF ADDITIONAL DEFENSES

216. TSMC Ltd. reserves the right to assert additional defenses that may surface through discovery in this action.

## DEMAND FOR JURY TRIAL

TSMC Ltd. demands a jury trial on all issues that may be so tried.

## PRAYER FOR RELIEF

WHEREFORE, TSMC Ltd. respectfully prays that this Court enter judgment in TSMC Ltd.'s favor against AICP and requests the following relief.

A. A complete denial of AICP's requests for damages, costs, expenses, injunction, and any other form of relief;

B. Dismissal with prejudice of all claims in AICP's Complaint against TSMC Ltd.;

C. A permanent injunction restraining AICP and its respective officers, partners, employees, agents, parents, subsidiaries, and affiliates, and any other persons acting on its behalf or in concert with it, from charging, suing or threatening, orally or in writing, that any of the Asserted Patents have been infringed by TSMC Ltd. under any subsection of 35 U.S.C. §§ 271 or 281;

D. A declaration that this is an exceptional case under 35 U.S.C. § 285 and awarding to TSMC Ltd. its reasonable costs and expenses of litigation, including but not limited to attorneys' fees and expert witness fees;

E. An award to TSMC Ltd. of its costs and disbursements in defending this action brought by AICP; and

F. An award to TSMC Ltd. of any and all further relief as this Court may deem just and proper.

Dated: March 31, 2025

Respectfully submitted,

/s/ *Jennifer Truelove*

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that counsel of record who are deemed to have consented to electronic services are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on March 31, 2025.

*/s/ Jennifer Truelove*
Jennifer Truelove