

**UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, DC**

IN THE MATTER OF

CERTAIN INTEGRATED CIRCUITS,
ELECTRONIC DEVICES CONTAINING
THE SAME, AND COMPONENTS
THEREOF

Investigation No. 337-TA-_____

**VERIFIED COMPLAINT UNDER SECTION 337
OF THE TARIFF ACT OF 1930, AS AMENDED**

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EXHIBIT LIST

Exhibit No.	Description	Designation
1	Certified Copy of U.S. Patent No 8,854,381	Public
2	Certified Copy of U.S. Patent No. 9,519,943	Public
3	Certified Copy of U.S. Patent No. 7,717,350	Public
4	Certified Copy of U.S. Patent No. 11,741,019	Public
5	Certified Copy of U.S. Patent No. 11,841,803	Public
6	U.S. Patent No. 9,116,809	
7	Certified Assignment Records for U.S. Patent No. 8,854,381	Public
8	Certified Assignment Records for U.S. Patent No. 9,519,943	Public
9	Certified Assignment Records for U.S. Patent No. 7,717,350	Public
10	Certified Assignment Records for U.S. Patent No. 11,741,019	Public
11	Certified Assignment Records for U.S. Patent No. 11,841,803	Public
12	Assignment Records for U.S. Patent No. 9,116,809	Public
13C	Patent Transfer Agreement with Onesta IP, LLC and Advanced Micro Devices, Inc., dated August 19, 2024	Confidential
13	Public Version Patent Transfer Agreement with Onesta IP, LLC and Advanced Micro Devices, Inc., dated August 19, 2024	Public
14C	Declaration of AMD	Confidential
14	Public Version of Declaration of AMD	Public
15	US Patent No. 8,854,381 Claim Chart for AMD Domestic Industry Product	Public
16	US Patent No. 9,519,943 Claim Chart for AMD Domestic Industry Product	Public
17	US Patent No. 11,741,019 Claim Chart for AMD Domestic Industry Product	Public
18	US Patent No. 7,717,350 Claim Chart for AMD Domestic Industry Product	Public
19	US Patent No. 11,841,803 Claim Chart for to AMD Domestic Industry Product	Public
20	US Patent No. 9,116,809 Claim Chart for to AMD Domestic Industry Product	Public
21	NVIDIA About Us Webpage	Public
22	NVIDIA Bloomberg Company Profile	Public
23	NVIDIA 2024 Annual Report	Public
24	NVIDIA Contact Webpage	Public
25	NVIDIA Data Center Webpage	Public
26	NVIDIA Jetson for Next-Generation Robotics Webpage	Public
27	NVIDIA Graphics Cards Webpage	Public
28	Qualcomm Contacts	Public
29	Qualcomm About Us Company Information	Public
30	Qualcomm 2024 10-K	Public
31	Qualcomm Innovators Development Kit	Public
32	One Plus Technology Locations Webpage	Public

Exhibit No.	Description	Designation
33	Nothing Technology Limited Contact Webpage	Public
34C	List of Entities	Confidential
34	Public List of Entities	Public
35	NVIDIA Starts Sampling Next-Gen Blackwell AI GPUs, Mass Production Is Still On Track Web Article (July 30, 2024)	Public
36	Declaration of Dmitriy Andreyev (Apr. 11, 2025)	Public
37	NVIDIA Marketplace Enterprise Cloud Solutions Webpage	Public
38	Thousands of NVIDIA Grace Blackwell GPUs Now Live at CoreWeave, Propelling Development for AI Pioneers (April 15, 2025)	Public
39	Lambda NVIDIA Blackwell GPUs Webpage	Public
40	NVIDIA Request Your GPU Cluster Webpage	Public
41	NVIDIA DGX Spark Webpage	Public
42	NVIDIA Driver Webpage	Public
43	NVIDIA GB200 NVL72 Datasheet	Public
44	NVIDIA DGX Spark Webpage	Public
45	NVIDIA Blackwell Architecture Webpage	Public
46	Photograph for NVIDIA RTX 4060 Ti Graphics Card	Public
47	US Patent No. 8,854,381 Claim Chart for NVIDIA Product	Public
48	US Patent No. 9,519,943 Claim Chart for NVIDIA Product	Public
49	US Patent No. 11,741,019 Claim Chart for NVIDIA Product	Public
50	US Patent No. 11,841,803 Claim Chart for to NVIDIA Product	Public
51	US Patent No. 9,116,809 Claim Chart for to NVIDIA Product	Public
52	Photographs of NVIDIA GB200 Superchip	Public
53	Receipt for NVIDIA RTX 4060 Ti Graphics Card	Public
54	NVIDIA Blackwell Platform Arrives to Power a New Era of Computing Newsroom Article (March 18, 2024)	Public
55	NVIDIA's Jensen Huang Admits AI Chip Design Flaw Was '100% NVIDIA's Fault' - TSMC Not To Blame, Now-Fixed Blackwell Chips Are In Production (Oct. 23, 2024)	Public
56	TSMC 3dFabric Webpage	Public
57	TSMC Fabs About Us Webpage	Public
58	Receipt for OnePlus 13R	Public
59	Receipt for Nothing Phone	Public
60	Photographs of OnePlus 13R	Public
61	Photographs of Nothing Phone	Public
62	Qualcomm QRB5165 Hardware Design Guide Webpage	Public
63	US Patent No. 8,854,381 Claim Chart for OnePlus/Qualcomm Product	Public
64	US Patent No. 8,854,381 Claim Chart for Nothing/Qualcomm Product	Public
65	US Patent No. 9,519,943 Claim Chart for OnePlus/Qualcomm Product	Public
66	US Patent No. 9,519,943 Claim Chart for Nothing/Qualcomm Product	Public
67	US Patent No. 11,741,019 Claim Chart for OnePlus/Qualcomm Product	Public

Exhibit No.	Description	Designation
68	US Patent No. 11,741,019 Claim Chart for Nothing/Qualcomm Product	Public
69	US Patent No. 7,717,350 Claim Chart for OnePlus/Qualcomm Product	Public
70	US Patent No. 7,717,350 Claim Chart for Nothing/Qualcomm Product	Public
71	US Patent No. 9,116,809 Claim Chart for OnePlus/Qualcomm Product	Public
72	US Patent No. 9,116,809 Claim Chart for Nothing/Qualcomm Product	Public
73	OnePlus Pad 2 Best Buy Webpage	Public
74	OnePlus Watch 3 Best Buy Webpage	Public
75	Snapdragon® W5+ and Snapdragon® W5 Gen 1 Wearable Platforms	Public
76	OnePlus 13R Product Webpage	Public
77	Receipt for OnePlus Pad 2	Public
78	Photographs for OnePlus Pad 2	Public
79	Receipt for OnePlus Watch 2	Public
80	Photographs for OnePlus Watch 2	Public
81	<i>Certain Graphics Systems, Components Thereof, and Digital Televisions Containing the Same</i> , Inv. No. 337-TA-1318, Institution of Investigation, 87 Fed. Reg. 29179 (May 12, 2022)	Public
82	<i>Certain Graphics Systems, Components Thereof, and Digital Televisions Containing the Same</i> , Inv. No. 337-TA-1318, Initial Determination (July 7, 2023)	Public
83	<i>Certain Graphics Systems, Components Thereof, and Digital Televisions Containing the Same</i> , Inv. No. 337-TA-1318, Initial Determination Granting Complainants Advanced Micro Devices, Inc. and ATI Technologies ULC's Motion for Summary Determination That the Economic Prong of Domestic Industry Is Satisfied (Feb. 6, 2023) (Public Version)	Public
84	<i>Certain Graphics Systems, Components Thereof, and Digital Televisions Containing the Same</i> , Inv. No. 337-TA-1318, Notice of Final Determination, 89 Fed. Reg. 5934-35 (Jan. 30, 2024)	Public
85	<i>Certain Graphics Systems, Components Thereof, and Digital Televisions Containing the Same</i> , Inv. No. 337-TA-1318, Comm'n Opinion (Jan. 24, 2024) (Public Version)	Public
86	<i>Realtek Semiconductor Corp. v. ITC</i> , Appeal No. 24-1613, Docketing Statement (Fed. Cir. Apr. 29, 2024)	Public
87	<i>Realtek Semiconductor Corp. v. ITC</i> , Appeal No. 24-1613, ECF No. 28 (Fed. Cir. Jul. 1, 2024)	Public
88	AMD 2024 10-K	Public
89	<i>Certain Graphics Systems, Components Thereof, and Digital Televisions Containing the Same</i> , Inv. No. 337-TA-1318, Notice of Commission Determination to Review in Part a Final Initial Determination Finding a Section 337 Violation, Inv. No. 337-TA-1318 (Oct. 16, 2023)	Public
90	AMD Ryzen 8000G "Phoenix 2" Desktop APUs Limited To PCIe 4.0 x4 For dGPU & PCIe 4.0 x2 For M.2 SSDs Webpage	Public
91	New AMD Instinct™ MI200 Series Accelerators Bring Leadership HPC	Public

Exhibit No.	Description	Designation
	and AI Performance to Power Exascale Systems and More Press Release (Nov. 8, 2021)	
92	Photographs for AMD Ryzen 5 8500G	Public
93	Photographs for AMD Instinct MI250	Public
94	NVIDIA Consumer Marketplace Webpage	Public

APPENDICES

Appendix No.	Description
A	Certified File History of U.S. Patent No. 8,854,381
B	File History for the Priority Application for U.S. Patent 8,854,381
C	Certified File History of U.S. Patent No. 9,519,943
D	File History for the Priority Application for U.S. Patent No. 9,519,943
E	Certified File History of U.S. Patent No. 7,717,350
F	Certified File History of U.S. Patent No. 11,741,019
G	File History for the Priority Application for U.S. Patent No. 11,741,019
H	Certified File History of U.S. Patent No. 11,841,803
I	File History of U.S. Patent No. 9,116,809
J	File History for the Priority Application for the U.S. Patent No. 9,116,809

I. INTRODUCTION

1. This Complaint is filed by Onesta IP, LLC (“Onesta” or “Complainant”) pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337 (“Section 337”) to remedy the unlawful and unauthorized importation into the United States, sale for importation into the United States, and/or sale within the United States after importation, of certain integrated circuits, electronic devices containing the same, and components thereof that directly infringe, contributorily infringe, and/or induce the infringement of, literally or under the doctrine of equivalents, certain claims of U.S. Patent No. 8,854,381 (“the ’381 Patent”), U.S. Patent No. 9,519,943 (“the ’943 Patent”), U.S. Patent No. 7,717,350 (“the ’350 Patent”), U.S. Patent No. 11,741,019 (“the ’019 Patent”), U.S. Patent No. 11,841,803 (“the ’803 Patent”) and U.S. Patent No. 9,116,809 (“the ’809 Patent”) (collectively, the “Asserted Patents”). Certified copies of the ’381, ’943, ’350, ’019, and ’803 and ’809 Patents are attached hereto as **Exhibits 1-5** respectively, and certified copies of the assignment records of each patent are attached hereto as **Exhibits 7-11** respectively. Uncertified versions of the ’809 Patent and its assignment records are attached hereto as **Exhibits 6 and 12** respectively.¹

2. The proposed respondents are: NVIDIA Corporation (“NVIDIA”), Qualcomm Incorporated (“Qualcomm”), OnePlus Technology (Shenzhen) Co., Ltd. (“OnePlus”), and Nothing Technology Limited (“Nothing”). The proposed respondents are referred to throughout this Complaint collectively as “Respondents” and individually as a “Respondent.” Upon information and belief, each Respondent imports into the United States, sells for importation into the United

¹ Certified versions of the patent, prosecution, and assignment records for the ’809 Patent are not available at this time. Onesta has attached uncertified versions of these records to its initial Complaint filing and will supplement the Complaint with the certified versions of these records as soon as practicable after receipt from the United States Patent and Trademark Office.

States, and/or sells in the United States after importation, articles that directly infringe, contributorily infringe, and/or induce the infringement of, literally or under the doctrine of equivalents, Onesta's Asserted Patents.

3. Pursuant to Commission Rules 210.10(b)(1) and 210.12(a)(12), categories of the articles involved are (a) integrated circuits that incorporate processors; (b) electronic devices containing such integrated circuits, consisting of circuit board assemblies, graphics cards, smartphones, tablets, smartwatches, and computers; and (c) components thereof, consisting of subassemblies of such integrated circuits and electronic devices.

4. Pursuant to Commission Rule 210.12(a)(9)(vii), Onesta alleges that the articles involved infringe at least the following claims of the Asserted Patents (collectively, the "Asserted Claims")²:

Patent	Respondent(s)	Asserted Claims
8,854,381	NVIDIA, Qualcomm, Nothing, OnePlus	5, 6, 7, 8, 19, 20
9,519,943	NVIDIA, Qualcomm, Nothing, OnePlus	1-10, 11-18, 19-24
7,717,350	Qualcomm, Nothing, OnePlus	1-16, 17, 18, 19, 20-22, 23-25
11,741,019	NVIDIA, Qualcomm, Nothing, OnePlus	1-10, 11-20
11,841,803	NVIDIA	1-3, 7-10
9,116,809	NVIDIA, Qualcomm, Nothing, OnePlus	1-11, 12-19, 20-25

5. To remedy Respondents' continuing and unlawful violation of Section 337, Onesta seeks, as permanent relief against each named Respondent and its subsidiaries, predecessors, affiliates, agents, successors, and assigns, a limited exclusion order pursuant to 19 U.S.C. § 1337(d) barring from entry into the United States all articles that directly infringe, contributorily

² Independent claims in the chart of asserted claims in each Asserted Patent are in **bold**.

infringe, and/or induce the infringement of the Asserted Patents, literally or under the doctrine of equivalents. Onesta also seeks cease and desist orders pursuant to 19 U.S.C. § 1337(f), prohibiting each Respondent and its subsidiaries, predecessors, affiliates, agents, successors, and assigns from engaging in the (a) importation, sale for importation, and/or sale within the United States after importation of such articles, (b) marketing, distributing, offering for sale, selling, or otherwise transferring (except for exportation) in the United States of such articles, (c) advertising of such imported articles, (d) soliciting of U.S. agents, retailers, resellers, or distributors for such articles, and (e) aiding or abetting of other entities in the importation, sale for importation, sale after importation, transfer (except for exportation), or distribution of such articles within the United States.

6. Further, Onesta requests that the Commission impose a bond upon Respondents' importation of infringing articles during the 60-day Presidential review period pursuant to 19 U.S.C. § 1337(j) to prevent further injury to the domestic industry relating to each of the Asserted Patents.

II. THE PARTIES

A. The Complainant

7. Pursuant to Commission Rule 210.12(a)(7), Complainant Onesta IP, LLC is a Delaware limited liability company, and has a principal place of business located at 230 Sugartown Road, Suite 100, Wayne, PA 19087. Onesta is a patent management and licensing company.

8. Onesta is the sole owner by assignment of all right, title, and interest in each Asserted Patent. *See Exhibits 7-12.*

9. One of Onesta's domestic licensees is Advanced Micro Devices, Inc. ("AMD"). AMD has a principal place of business located at 2485 Augustine Drive, Santa Clara, CA 95054.

AMD is the predecessor-in-interest of each of the Asserted Patents and has a non-exclusive license to practice each of the Asserted Patents. *See Exhibit 13C.*

10. AMD is an American innovator and semiconductor company that has pioneered cutting edge artificial intelligence (AI), graphics processor, and microprocessor technology. AMD's innovative semiconductor technology powers millions of intelligent devices, including personal computers, game consoles, and server computers. AMD's technology is featured inside several major gaming consoles and home entertainment systems, including those such as the Microsoft Xbox Series X, Microsoft Xbox Series S, and Sony PlayStation 5 (PS5). AMD's technology is also featured inside major supercomputers and cloud servers, including Amazon Web Services (AWS) and Frontier (the world's first exascale supercomputer). AMD has invested substantial resources researching, developing, testing, launching, supporting, and maintaining technically innovative and commercially successful products in the AI, computing, and graphics space that practice the Asserted Patents. Throughout its history, AMD has made substantial investments to research, develop, and manufacture high quality integrated circuits and electronic devices that practice the Asserted Patents, including without limitation AI accelerators, microprocessors, graphics processors, graphics cards, and circuit board assemblies. *See Declaration of AMD Declarant (attached as Confidential Exhibit 14C), ("AMD Decl.");* AMD claim charts (attached as **Exhibits 15- 20**). The Asserted Patents stem from the research and design of innovative proprietary technology developed by AMD and its affiliates.

B. The Proposed Respondents

11. Pursuant to Commission Rule 210.12(a)(4), regarding the proposed Respondents, Onesta alleges the following upon information and belief:

1. **NVIDIA**

12. Pursuant to Commission Rule 210.12(a)(4), Respondent **NVIDIA Corporation** (“NVIDIA”), is a corporation organized and existing under the laws of the State of Delaware with its principal place of business located at 2788 San Tomas Express Way, Santa Clara, CA 95051. See **Exhibit 21**, <https://www.nvidia.com/en-us/contact/> (accessed 4/15/2025).

13. According to Bloomberg’s Company Profile, NVIDIA “develops a platform for scientific computing, AI, data science, autonomous vehicles, robotics, metaverse, and 3D internet applications, as well as focuses on PC graphics.” See **Exhibit 22**, <https://www.bloomberg.com/profile/company/NVDA:US> (accessed 4/11/2025). According to NVIDIA’s 2024 Annual Report, NVIDIA “specialize[s] in markets where our computing platforms can provide tremendous acceleration for applications[,]” including “Data Center, Gaming, Professional Visualization, and Automotive” markets. **Exhibit 23** at 106, https://s201.q4cdn.com/141608511/files/doc_financials/2024/ar/NVIDIA-2024-Annual-Report.pdf (accessed 4/11/2025).

14. Upon information and belief, NVIDIA, itself and/or through its subsidiaries and corporate relatives, imports, sells for importation, and/or sells in the United States after importation, products that infringe the Asserted Patents, including integrated circuits that incorporate processors, electronic devices containing such integrated circuits (including, without limitation, circuit board assemblies, graphics cards, and computers), and components thereof.

15. Upon information and belief, NVIDIA is also engaged in the manufacturing, research, development, testing, marketing, distribution, shipping, importation, sale for importation, and/or sale within the United States after importation of products that infringe. See, e.g., **Exhibit 24**, <https://www.nvidia.com/en-us/> (accessed 4/11/2025); **Exhibit 25**, <https://www.nvidia.com/en-us/data-center/> (accessed 4/11/2025); **Exhibit 26**, <https://www.nvidia.com/en-us/autonomous->

[machines/embedded-systems/](#) (accessed 4/11/2025); **Exhibit 27**, <https://www.nvidia.com/en-us/geforce/graphics-cards/> (accessed 04/11/2025).

16. In addition, upon information and belief, NVIDIA is engaged in the instruction or encouragement of others, including customers in the United States, to use, make, sell, and/or import involved articles in a directly infringing manner.

17. As discussed further in Section IV(A) below, one example NVIDIA involved article is NVIDIA's GeForce RTX 4060 Ti graphics card (Part Number: 900-1G141-2560-0000), which on information and belief is manufactured overseas in China (*see* ¶ 105, *infra*); and another example is NVIDIA's Blackwell GB200 Superchip circuit board assembly, which on information and belief is manufactured overseas in Taiwan (*see* ¶ 106, *infra*).

2. Qualcomm

18. Pursuant to Commission Rule 210.12(a)(4), Respondent **Qualcomm Incorporated** ("Qualcomm") is a corporation organized and existing under the laws of the State of Delaware with its principal place of business located at 5775 Morehouse Drive, San Diego, CA, 92121. *See* **Exhibit 28**, <https://investor.qualcomm.com/about/contacts/default.aspx> (accessed 4/15/2025).

19. According to Qualcomm's website, its portfolio "includes products for processors, modems, platforms, RF systems, and connectivity, plus products based on the end-use application of your design. [Qualcomm] offer[s] a full range of purpose-built, pre-packaged software, hardware, and tools[.]" **Exhibit 29**, <https://www.qualcomm.com/company#about> (accessed 4/11/2025).

20. Upon information and belief, Qualcomm, either itself and/or through the activities of its subsidiaries, designs, manufactures, has manufactured, sells, imports, sells for importation, and/or sells within the United States after importation, products that infringe the Asserted Patents,

including integrated circuits that incorporate processors, electronic devices that contain such integrated circuits, (*e.g.*, circuit board assemblies), and components thereof.

21. Upon information and belief, as a fabless entity, Qualcomm also employs the services of foundries which manufacture the infringing Qualcomm integrated circuits, electronic devices containing such integrated circuits, and components thereof abroad. **Exhibit 30** (Qualcomm 2024 10-K) at 10-11, https://s204.q4cdn.com/645488518/files/doc_financials/2024/q4/QCOM-09-29-24-FY2024-10-K.pdf (accessed 4/11/2025). These infringing integrated circuits and components thereof are incorporated into various downstream electronic devices (*e.g.*, smartphones, tablets, and smartwatches) that are then sold for importation into the United States, imported into the United States, and/or sold within the United States after importation. *Id.* at 6.

22. Upon information and belief, Qualcomm imports, sells for importation, and/or sells within the United States after importation, standalone circuit board assemblies containing integrated circuits, such as the Qualcomm Innovators Development Kit, which is a circuit board assembly that incorporates the “latest premium Snapdragon system-on-chip (SoC).” **Exhibit 31**, <https://www.qualcomm.com/developer/hardware/qualcomm-innovators-development-kit> (accessed 04/11/2025).

23. In addition, upon information and belief, Qualcomm is engaged in the instruction or encouragement of others, including customers in the United States, to use, make, sell, and/or import such infringing integrated circuits containing processors, electronic devices containing such integrated circuits (*e.g.*, circuit board assemblies, smartphones, tablets, and smartwatches), and components thereof (*i.e.*, subassemblies of such integrated circuits and electronic devices) in a directly infringing manner.

24. As discussed further in Section IV(B) below, some example Qualcomm involved articles include Qualcomm's Snapdragon 8 Gen 3 and Snapdragon 8+ Gen 1 chips, which are respectively incorporated in OnePlus 13R and Nothing Phone (2) smartphones manufactured overseas in China.

3. **OnePlus**

25. Pursuant to Commission Rule 210.12(a)(4), **OnePlus Technology (Shenzhen) Co., LTD** ("OnePlus") is a corporation organized and existing under the laws of China with its principal place of business located at 18th Floor, Block C, Tairan Building, Tairan 8th Road, Chegongmiao, Futian District, Shenzhen, Guangdong, China 518000. See **Exhibit 32**, <https://craft.co/oneplus/locations> (accessed 4/15/2025).

26. Upon information and belief, OnePlus, itself and/or through its subsidiaries, and/or corporate relatives, imports, sells for importation, and/or sells within the United States after importation, integrated circuits that incorporate processors, electronic devices containing such integrated circuits (*e.g.*, circuit board assemblies, smartphones, tablets, and smartwatches), and components thereof, that are manufactured outside of the United States. As discussed further in Section IV(D) below, an example OnePlus involved article is the OnePlus 13R smartphone with a Qualcomm Snapdragon 8 Gen 3 processor.

4. **Nothing**

27. Pursuant to Commission Rule 210.12(a)(4), **Nothing Technology Limited** ("Nothing") is a corporation organized and existing under the laws of the United Kingdom with its principal place of business located at Bedford House, 21A John Street, London, WC1N 2BF United Kingdom. See **Exhibit 33**, <https://find-and-update.company-information.service.gov.uk/company/12984564> (accessed 4/15/2025).

28. Upon information and belief, Nothing, itself and/or through its subsidiaries, and/or corporate relatives, imports, sells for importation, and/or sells within the United States after importation, certain integrated circuits that incorporate processors, electronic devices containing such integrated circuits (*e.g.*, circuit board assemblies and smartphones), and components thereof, that are manufactured outside of the United States. As discussed further in Section IV(E) below, an example Nothing involved article is the Nothing Phone (2) smartphone with a Qualcomm Snapdragon 8+ Gen 1 processor.

III. THE PATENTS

29. The Asserted Patents generally relate to integrated circuits, processors, and systems comprising a central processing unit (“CPU”) and/or a graphics processing unit (“GPU”) supporting various advanced computing, graphics processing, power management, memory operation, and chip design features.³

30. Pursuant to Commission Rule 210.12(a)(9)(iii), Onesta has attached as **Confidential Exhibit 34C** a list of entities that, to the best of Onesta’s knowledge, are parties to one or more confidential agreements that may, but do not necessarily, incorporate a grant of a limited non-exclusive license and/or restrictive covenant, subject to certain exclusions and limitations, with respect to the Asserted Patents.⁴

³ The non-technical descriptions of the patented technology provided herein are provided solely for compliance with the Commission Rules and are not intended to define, limit, or otherwise affect the construction and/or application of any of the Asserted Patents.

⁴ Complainant provides this list, which may be over-inclusive, to ensure compliance with Commission Rule 210.12(a)(9)(iii). By including an entity on this list, however, Onesta makes no representation concerning the scope of licensed rights and/or restrictive covenants, if any exist, or that such licensed rights or restrictive covenants ultimately extend to any proposed Respondent, involved articles, or Asserted Patent in this Investigation.

A. The Asserted '381 Patent

1. Ownership and Asserted Claims of the '381 Patent

31. United States Patent No. 8,854,381 ("the '381 Patent") is entitled "Processing Unit That Enables Asynchronous Task Dispatch," and issued on October 7, 2014, to inventors Michael Mantor and Rex McCrary. The '381 Patent issued from United States Patent Application No. 12/874,134, which was filed on September 1, 2010.

32. The '381 Patent claims priority from United States Provisional Patent Application No. 61/239,712, filed on September 3, 2009.

33. By way of assignment, Complainant owns all rights, title, and interest to the '381 Patent. As required by Commission Rule 210.12(a)(9)(i), a certified copy of the '381 Patent is attached as **Exhibit 1**. Pursuant to Commission Rule 210.12(a)(9)(ii), a true and correct copy of the certified patent assignment records is attached as **Exhibit 7**. As shown therein, the named inventors assigned their interest to U.S. Patent Application No. 12/874,134, which led to the issuance of the '381 Patent, to Advanced Micro Devices, Inc. in assignments executed on January 24, 2011, and January 25, 2011, respectively (Reel/Frame 025720/0001). As further shown therein, Advanced Micro Devices, Inc. further assigned its interest in U.S. Patent No. 8,854,381 to Onesta IP, LLC in an assignment executed on November 8, 2024 (Reel/Frame 069381/0951-0952).

34. In accordance with Commission Rules 210.12(c)(1)–(2), **Appendix A** to this Complaint includes one certified copy of the United States Patent and Trademark Office prosecution history for the '381 Patent. **Exhibit 1** includes a certified copy of the '381 Patent, and **Appendix B** includes the prosecution history of the priority application for the '381 Patent.

35. All fees for the '381 Patent have been timely paid, and there are no fees currently due. In accordance with Commission Rule 210.12(a)(9)(xi), the expiration date of the '381 Patent is April 10, 2033.

36. The '381 Patent has 27 claims, including five independent claims (1, 9, 15, 21, and 27), and 22 dependent claims. Complainant is asserting at least claims 5, 6, 7, 8, 19, and 20 of the '381 Patent (the "Asserted '381 Patent Claims") against NVIDIA, Qualcomm, OnePlus, and Nothing.

2. Foreign and Domestic Counterparts to the '381 Patent

37. In accordance with Commission Rule 210.12(a)(9)(v), Onesta has listed below the only known foreign counterparts to the '381 Patent. Onesta further states it is unaware of any other foreign counterparts or denied, abandoned, withdrawn, or pending foreign or domestic counterpart applications corresponding to the '381 Patent.

Status	Publication Number	Application Number	File Date	Publication Date
Active Patent	CN102640115B	CN201080049174.7	9/3/2010	3/25/2015
Active Patent	EP2473920B8	EP10779865.4	9/3/2010	5/16/2018
Active Patent	IN-362879-B	IN2726DEC2012	3/29/2012	3/26/2021
Active Patent	JP5791608B2	JP20120528081	9/3/2010	10/7/2015
Active Patent	KR101642105B1	KR20127008414	9/3/2010	7/22/2016

3. Non-Technical Description of the '381 Patent

38. Pursuant to Commission Rule 210.12(a)(9)(vi), in conventional graphics processing systems prior to the '381 Patent, a central processing unit (CPU) would pass graphics processing tasks to a graphics processing unit (GPU). **Exhibit 1**, '381 Patent at 1:23-25. An operating system (OS) scheduler would then serially place such tasks in a command buffer and the conventional GPU would process one command buffer at a time, typically in the order in which the tasks were placed in the command buffer. *Id.* at 2:8-13. In some instances, the GPU could process tasks out of the order in which they were placed in the command buffer. *Id.* at 2:13-15. For example, the GPU could perform a context switch to process the more important task before the first task has finished completing in the GPU. *Id.* at 2:15-18. However, such context switching

required a substantial amount of time and space in the GPU, resulting in the GPU being ineffective at processing important tasks. *Id.* at 2:38-56.

39. The '381 Patent is directed to solving these problems by enabling asynchronous task dispatch. *Id.* at 2:64-67. In some embodiments, the GPU appears to the OS scheduler as a plurality of engines and the OS scheduler can send different types of tasks, including graphics processing tasks and general compute tasks, to each engine. *Id.* at 6:42-54. In this manner, the hardware of the GPU can be more efficiently utilized. *Id.*

B. The Asserted '943 Patent

1. Ownership and Asserted Claims of the '943 Patent

40. United States Patent No. 9,519,943 ("the '943 Patent") is entitled "Priority-Based Command Execution," and issued on December 13, 2016, to inventors Philip J. Rogers, David Gotwalt, Tom Frisinger, and Rex McCrary. The '943 Patent issued from United States Patent Application No. 13/171,979, which was filed on June 29, 2011.

41. The '943 Patent claims priority from United States Provisional Patent Application No. 61/420,393, filed on December 7, 2010.

42. By way of assignment, Complainant owns all rights, title, and interest to the '943 Patent. As required by Commission Rule 210.12(a)(9)(i), a certified copy of the '943 Patent is attached as **Exhibit 2**. Pursuant to Commission Rule 210.12(a)(9)(ii), a true and correct copy of the certified patent assignment records of the '943 Patent are attached as **Exhibit 8**. As shown therein, the named inventors assigned their interest in U.S. Patent Application No. 13/171,979, which ultimately led to the issuance of the '943 Patent, to Advanced Micro Devices, Inc. in executed assignments on May 3, 2011, May 4, 2011, and May 9, 2011, respectively (Reel/Frame 026522/0180). As further shown therein, Advanced Micro Devices, Inc. further assigned its

interest in U.S. Patent No. 9,519,943 to Onesta IP, LLC in an assignment executed on November 8, 2024 (Real/Frame 069381/0951-0952).

43. In accordance with Commission Rules 210.12(c)(1)–(2), **Appendix C** to this Complaint includes one certified copy of the United States Patent and Trademark Office prosecution history for the '943 Patent. **Exhibit 2** includes a certified copy of the '943 Patent, and **Appendix D** includes the prosecution history of the priority application for the '943 Patent.

44. All fees for the '943 Patent have been timely paid, and there are no fees currently due. In accordance with Commission Rule 210.12(a)(9)(xi), the expiration date of the '943 Patent is October 18, 2033.

45. The '943 Patent has 24 claims, including three independent claims (1, 11, and 19), and 21 dependent claims. Complainant is asserting at least claims 1-10, 11-18, 19-24 of the '943 Patent (the “Asserted '943 Patent Claims”) against NVIDIA, Qualcomm, OnePlus, and Nothing.

2. Foreign and Domestic Counterparts to the '943 Patent

46. In accordance with Commission Rule 210.12(a)(9)(v), Complainant states that it is aware of no foreign counterparts issued, filed, abandoned, withdrawn, or rejected relating to the '943 Patent. Onesta further states it is unaware of any foreign counterparts or denied, abandoned, withdrawn, or pending foreign or domestic counterpart applications corresponding to the '943 Patent.

3. Non-Technical Description of the '943 Patent

47. Pursuant to Commission Rule 210.12(a)(9)(vi), in conventional graphics processing systems prior to the '943 Patent, a central processing unit (CPU) passed rendering commands to a graphics processing unit (GPU). *See, e.g., Exhibit 2*, '943 Patent at 1:17-26. However, other types of commands—computational commands, for example—often could not be sent to the GPU for execution. This was because the CPU needed results from these types of

commands relatively quickly, and these types of commands would often have to wait until the GPU completed executing rendering commands. *Id.* at 1:27-35. Accordingly, executing these computational commands in conventional graphics processing systems added to the processing burden of the CPU and limited the performance of the system. *Id.* at 1:36-39.

48. The '943 Patent is directed to solving these problems by enabling different types of commands to be executed on the GPU in a desired order, so that results from relatively high priority commands can be processed within a desirable latency. *Id.* at 1:39-43. In some embodiments, the GPU uses a set of queues that holds commands sent from a virtual device in the CPU. *Id.* at 1:59-67, 11:5-12:43. The set of queues includes a high priority queue that holds high priority commands. *Id.* A command processor is configured to retrieve a high priority command held in the high priority queue before retrieving commands held in other queues of the set of queues for the GPU to execute. *Id.*

C. The Asserted '350 Patent

1. Ownership and Asserted Claims of the '350 Patent

49. United States Patent No. 7,717,350 ("the '350 Patent") is entitled "Portable Computing Platform Having Multiple Operating Modes and Heterogeneous Processors," and issued on May 18, 2010, to inventors Robert Ober, William T. Edwards, and R. Stephen Polzin. The '350 Patent issued from United States Patent Application No. 11/478,740, which was filed on June 30, 2006.

50. By way of assignment, Complainant owns all rights, title, and interest to the '350 Patent. As required by Commission Rule 210.12(a)(9)(i), a certified copy of the '350 Patent is attached as **Exhibit 3**. Pursuant to Commission Rule 210.12(a)(9)(ii), a true and correct copy of the certified patent assignment records for the '350 Patent is attached as **Exhibit 9**. As shown therein, the named inventors assigned their interest to U.S. Patent Application No. 11/478,740 to

Advanced Micro Devices, Inc. in assignments executed on June 29, 2006, and June 30, 2006, respectively (Reel/Frame 018072/0277). As further shown therein, Advanced Micro Devices, Inc. further assigned its interest in U.S. Patent No. 7,717,350 to Onesta IP, LLC in an assignment executed on November 8, 2024 (Real/Frame 069381/0951).

51. In accordance with Commission Rules 210.12(c)(1)–(2), **Appendix E** to this Complaint includes one certified copy of the United States Patent and Trademark Office prosecution history for the '350 Patent. **Exhibit 3** includes a certified copy of the '350 Patent.

52. All fees for the '350 Patent have been timely paid, and there are no fees currently due. In accordance with Commission Rule 210.12(a)(9)(xi), the expiration date of the '350 Patent is March 5, 2029.

53. The '350 Patent has 25 claims, including seven independent claims (1, 17, 18, 20, and 23-25), and 18 dependent claims. Complainant is asserting at least claims 1-25 of the '350 Patent (the “Asserted '350 Patent Claims”) against Qualcomm, OnePlus, and Nothing.

2. Foreign and Domestic Counterparts to the '350 Patent

54. In accordance with Commission Rule 210.12(a)(9)(v), Complainant states that it is aware of no foreign counterparts issued, filed, abandoned, withdrawn, or rejected relating to the '350 Patent. Onesta further states it is unaware of any foreign counterparts or denied, abandoned, withdrawn, or pending foreign or domestic counterpart applications corresponding to the '350 Patent.

3. Non-Technical Description of the '350 Patent

55. Pursuant to Commission Rule 210.12(a)(9)(vi), since the introduction of personal computing devices, and as the computing power and speed of computer processors increased, there has been an increased demand for portability. *See, e.g., Exhibit 3*, '350 Patent at 1:12-16. However, portable computer devices suffered from limited performance and short battery life. *Id.* at 1:16-20.

Prior to the '350 Patent, power management addressed power concerns by merely turning off the computer or putting it into sleep mode after a period of inactivity. *Id.* at 1:20-25. However, this was undesirable as it restricted the overall performance of portable computing devices. *Id.* at 1:25-28.

56. The '350 Patent is directed to solving these problems by teaching a system that improves power savings and system performance. In some embodiments, the portable computer device includes heterogeneous processors configured to execute instructions corresponding to application software. *Id.* at 5:36-63. In other embodiments, the portable computer device further includes a power management unit selectably configured to cause one of the heterogeneous processors to execute the instructions. *Id.* at 7:20-31. In still other embodiments, the heterogeneous processors are configured to execute the instructions in a mode of operation based on one or more system preferences. *Id.* at 6:50-7:19.

D. The Asserted '019 Patent

1. Ownership and Asserted Claims of the '019 Patent

57. United States Patent No. 11,741,019 (“the '019 Patent”) is entitled “Memory Pools in a Memory Model for a Unified Computing System,” and issued on August 29, 2023 to inventors Anthony Asaro, Kevin Normoyle, and Mark Hummel. The '019 Patent issued from United States Patent Application No. 17/471,552, which was filed on September 10, 2021.

58. The '019 Patent is a continuation of application No. 16/443,385, filed on Jun. 17, 2019, now Pat. No. 11,119,944, which is a continuation of application No. 15/695,683, filed on September 5, 2017, now Pat. No. 10,324,860, which is a continuation of application No. 15/254,466, filed on September 1, 2016, now abandoned, which is a continuation of application No. 14/833,850, filed on August 24, 2015, now Pat. No. 9,448,930, which is a continuation of application No. 13/724,879, filed on December 21, 2012, now Pat. No. 9,116,809.

59. By way of assignment, Complainant owns all rights, title, and interest to the '019 Patent. As required by Commission Rule 210.12(a)(9)(i), a certified copy of the '019 Patent is attached as **Exhibit 4**. Pursuant to Commission Rule 210.12(a)(9)(ii), a true and correct copy of the certified assignment records for the '019 Patent is attached as **Exhibit 10**. As shown therein, the named inventors assigned their interest to U.S. Patent Application No. 13/724,879, which ultimately led to the issuance of U.S. Patent No. 9,116,809, to which the '019 patent claims priority as a continuation, to Advanced Micro Devices, Inc. in assignments executed on November 7, 2012, and October 26, 2012, respectively (Reel/Frame 029655/0676), and to ATI Technologies ULC, in an assignment executed on November 2, 2012 (Reel/Frame 029655/0699). These assignments from the inventors to AMD and ATI were further recorded for the '019 patent on April 8, 2025 (Reel/Frame 070774/0699 and Reel/Frame 070774/0644). As further shown therein, Advanced Micro Devices, Inc. further assigned its interest in U.S. Patent No. 11741019 to Onesta IP, LLC in an assignment executed on November 8, 2024 (Real/Frame 069381/0951-0952). ATI Technologies ULC further assigned its interest in U.S. Patent No. 11,741,019 to Onesta IP, LLC in an assignment executed on November 8, 2024 (Real/Frame 069379/0556-0557).

60. In accordance with Commission Rules 210.12(c)(1)–(2), **Appendix F** to this Complaint includes one certified copy of the United States Patent and Trademark Office prosecution history for the '019 Patent. **Exhibit 4** includes a certified copy of the '019 Patent, and **Appendix G** includes the prosecution history of the priority application for the '019 Patent.

61. All fees for the '019 Patent have been timely paid, and there are no fees currently due. In accordance with Commission Rule 210.12(a)(9)(xi), the expiration date of the '019 Patent is December 21, 2032.

62. The '019 Patent has 20 claims, including two independent claims (1 and 11), and 18 dependent claims. Complainant is asserting at least claims 1-20 of the '019 Patent (the "Asserted '019 Patent Claims") against NVIDIA, Qualcomm, OnePlus, and Nothing.

2. Foreign and Domestic Counterparts to the '019 Patent

63. In accordance with Commission Rule 210.12(a)(9)(v), Complainant has listed below the only known foreign and domestic counterparts to the '019 Patent. Onesta further states it is unaware of any other foreign counterparts or denied, abandoned, withdrawn, or pending foreign or domestic counterpart applications corresponding to the '019 Patent.

Status	Publication Number	Application Number	File Date	Publication Date
Abandoned	US20160371197A1	US15/254,466	9/1/2016	12/22/2016
Pending	US20230401159A1	US18/455,479	8/24/2023	12/24/2023

3. Non-Technical Description of the '019 Patent

64. Pursuant to Commission Rule 210.12(a)(9)(vi), in conventional computing systems prior to the '019 Patent, programmers were required to explicitly marshal memory between separate address spaces associated with each of the client devices, *e.g.*, GPUs. *See, e.g., Exhibit 4*, '019 Patent at 2:6-10. This could introduce constraint and cause inefficiency in the computing systems. *Id.*

65. The '019 Patent is directed to solving these problems by providing a memory configured to operate in a multi-client computing system environment, free from the above-noted constraint. *Id.* at 2:14-53. In some embodiments, the computer system includes a plurality of processors and a shared memory. *Id.* at 20:7-174. The computer system also includes a mapper configured to receive a memory operation from a processor that references an address in the shared memory, map the received memory operation to at least one virtual memory pool to produce a

mapping result, and provide the mapping result to the processor. *Id.* The at least one virtual memory pool is associated with at least one memory resource. *Id.*

E. The Asserted '803 Patent

1. Ownership and Asserted Claims of the '803 Patent

66. United States Patent No. 11,841,803 (“the '803 Patent”) is entitled “GPU Chiplets Using High Bandwidth Crosslinks,” and issued on December 12, 2023, to inventors Skyler J. Saleh, Samuel Naffziger, Milind S. Bhagavat, and Rahul Agarwal. The '803 Patent issued from United States Patent Application No. 16/456,287, which was filed on June 28, 2019.

67. By way of assignment, Complainant owns all rights, title, and interest to the '803 Patent. As required by Commission Rule 210.12(a)(9)(i), a certified copy of the '803 Patent is attached as **Exhibit 5**. Pursuant to Commission Rule 210.12(a)(9)(ii), a true and correct copy of the certified patent records of the '803 Patent is attached as **Exhibit 11**. As shown therein, the named inventors assigned their interest to U.S. Patent Application No. 16/456,287, which ultimately led to the issuance of the '803 Patent, to Advanced Micro Devices, Inc. in assignments executed on July 3, 2019, July 8, 2019, and July 29, 2019, respectively (Reel/Frame 049943/0660). As further shown therein, Advanced Micro Devices, Inc. further assigned its interest in U.S. Patent No. 11,841,803 to Onesta IP, LLC in an assignment executed on November 8, 2024 (Real/Frame 069381/0951-0952).

68. In accordance with Commission Rules 210.12(c)(1)–(2), **Appendix H** to this Complaint includes one certified copy of the United States Patent and Trademark Office prosecution history for the '803 Patent. **Exhibit 5** includes a certified copy of the '803 Patent.

69. All fees for the '803 Patent have been timely paid, and there are no fees currently due. In accordance with Commission Rule 210.12(a)(9)(xi), the expiration date of the '803 Patent is January 6, 2040.

70. The '803 Patent has 20 claims, including three independent claims (1, 11, and 16), and 17 dependent claims. Complainant is asserting at least claims 1-3 and 7-10 of the '803 Patent (the "Asserted '803 Patent Claims") against NVIDIA.

2. Foreign and Domestic Counterparts to the '803 Patent

71. In accordance with Commission Rule 210.12(a)(9)(v), Complainant has listed below the only known foreign and domestic counterparts to the '803 Patent. Onesta further states it is unaware of any other foreign counterparts or denied, abandoned, withdrawn, or pending foreign or domestic counterpart applications corresponding to the '803 Patent.

Status	Publication Number	Application Number	File Date	Publication Date
Pending	US20240330196A1	US18/388,602	11/10/2023	10/3/2024
Pending	CN114008662A	CN202080044950.8	6/24/2020	2/1/2022
Pending	EP3991052A4	EP20832015.0	6/24/2020	7/26/2023
Pending	KR20220024186A	KR20217042722	6/24/2020	3/3/2022
Active Patent	JP7516428B2	JP2021576314	6/24/2020	7/16/2024

3. Non-Technical Description of the '803 Patent

72. Pursuant to Commission Rule 210.12(a)(9)(vi), conventional computing devices prior to the '803 Patent required more and more performance and features integrated into a single, integrated circuit (IC) package, making it increasingly expensive and difficult to manufacture monolithic die designs. **Exhibit 5**, '803 Patent at 1:6-12, 1:45-46. Prior to the '803 Patent, chiplets—small, modular ICs that can be combined with other chiplets to create more complex systems—had been used in CPU architectures to reduce manufacturing costs and improve yields. *Id.* at 1:45-51. Due to the heterogenous computational nature of CPUs, CPU cores were separated into chiplets and packaged into an IC to meet increased performance requirements and reduce costs. *Id.*

73. However, it has been historically challenging to bring chiplet designs to GPU architectures due to how GPUs process data. *Id.* at 1:52-67. For example, GPUs not only process work that is fully parallel, but also work that requires synchronous ordering. *Id.* The conventional GPU programming model (which distributes work across multiple chiplets) was inefficient, because it is difficult and expensive to synchronize the memory contents of shared resources throughout the entire system in a way that gives applications a coherent view of that memory. *Id.* Further, applications are conventionally programmed as addressing a single GPU, even though a conventional GPU includes multiple GPU cores. *Id.*

74. The '803 Patent is directed to solving these problems and improving conventional system performance by adopting chiplet designs to GPU architectures while avoiding any chiplet-specific programming model. *Id.* at 2:1-4, 3:49-56. For example, the '803 Patent uses a crosslink to couple GPU chiplets of a GPU chiplet array to each other. *Id.* at 2:1-4. In some embodiments, a CPU is included in the system and is communicably coupled to a GPU chiplet of the GPU chiplet array. *Id.* at 2:4-13. From the CPU's view, it appears to be addressing a single GPU, despite there being multiple GPU chiplets in the GPU chiplet array. *Id.* at 2:30-33. This allows for use of a large-capacity, multi-chiplet GPU that appears as a single device to an application. *Id.*

F. The Asserted '809 Patent

1. Ownership and Asserted Claims of the '809 Patent

75. United States Patent No. 9,116,809 ("the '809 Patent") is entitled "Memory Heaps in a Memory Model for a Unified Computing System," and issued on August 25, 2015, to inventors Anthony Asaro, Kevin Normoyle, and Mark Hummel. The '809 Patent issued from United States Patent Application No. 13/724,879, which was filed on December 21, 2012.

76. The '809 Patent claims priority from United States Provisional Patent Application No. 61/617,408, filed on March 29, 2012.

77. By way of assignment, Complainant owns all rights, title, and interest to the '809 Patent. As required by Commission Rule 210.12(a)(9)(i),⁵ an uncertified copy of the '809 Patent is attached as **Exhibit 6**. Pursuant to Commission Rule 210.12(a)(9)(ii), a true and correct copy of the uncertified assignment records for the '809 Patent is attached as **Exhibit 12**. As shown therein, the named inventors assigned their interest to U.S. Patent Application No. 13/724,879, which ultimately led to the issuance of U.S. Patent No. 9,116,809, to Advanced Micro Devices, Inc. in assignments executed on November 7, 2012, and October 26, 2012, respectively (Reel/Frame 029655/0676), and to ATI Technologies ULC, in an assignment executed on November 2, 2012 (Reel/Frame 029655/0699). As further shown therein, ATI Technologies ULC further assigned its interest in U.S. Patent No. 9,116,809 to Onesta IP, LLC in an assignment executed on November 8, 2024 (Real/Frame 070861/0834), which was recorded on April 16, 2025. **Exhibit 12** at 52-53. Advanced Micro Devices, Inc. further assigned its interest in U.S. Patent No. 9,116,809 to Onesta IP, LLC in an assignment executed on November 8, 2024 (Real/Frame 069381/0951-0952).

78. In accordance with Commission Rules 210.12(c)(1)–(2), **Appendix I** to this Complaint includes one uncertified copy of the United States Patent and Trademark Office prosecution history for the '809 Patent. **Exhibit 6** includes an uncertified copy of the '809 Patent, and **Appendix J** includes the prosecution history of the priority application for the '809 Patent.

79. All fees for the '809 Patent have been timely paid, and there are no fees currently due. In accordance with Commission Rule 210.12(a)(9)(xi), the expiration date of the '809 Patent is August 19, 2033.

⁵ Certified versions of the patent, prosecution, and assignment records for the '809 Patent are not available at this time. Onesta has attached uncertified versions of these records to its initial Complaint filing and will supplement the Complaint with the certified versions of these records as soon as practicable after receipt from the United States Patent and Trademark Office.

80. The '809 Patent has 25 claims, including three independent claims (1, 12, and 20), and 22 dependent claims. Complainant is asserting at least claims 1-25 of the '809 Patent (the "Asserted '809 Patent Claims") against NVIDIA, Qualcomm, Nothing, and OnePlus.

2. Foreign Counterparts to the '809 Patent

81. In accordance with Commission Rule 210.12(a)(9)(v), Complainant has listed below the only known foreign and domestic counterparts to the '809 Patent. Onesta further states it is unaware of any other foreign counterparts or denied, abandoned, withdrawn, or pending foreign or domestic counterpart applications corresponding to the '809 Patent.

Status	Publication Number	Application Number	File Date	Publication Date
Abandoned	US20160371197A1	US15/254,466	9/1/2016	12/22/2016
Pending	US20230401159A1	US18/455,479	8/24/2023	12/24/2023

3. Non-Technical Description of the '809 Patent

82. Pursuant to Commission Rule 210.12(a)(9)(vi), prior to the '809 Patent and in conventional computing systems, programmers were required to explicitly marshal memory between separate address spaces associated with each of the client devices, e.g., GPUs. *See, e.g., Exhibit 6*, 1:58-62. This can introduce constraint and cause inefficiency in the computing systems. *Id.* The '809 Patent provides a memory configured to operate in a multi-client computing system environment, free from the above-noted constraint. *Id.*, 1:66-2:4. In some embodiments, the computing system includes a plurality of memory heaps configured to access memory resources of the processors in the system. *Id.*, 19:41-20:24. The computing system also includes a mapper configured to receive an address reference from a memory operation executed by one of the processors, and map the memory operation to one of the plurality of memory heaps based on the address reference. *Id.*

IV. UNFAIR ACTS OF PROPOSED RESPONDENTS – PATENT INFRINGEMENT AND IMPORTATION

83. Pursuant to Commission Rules 210.12(a)(2) and 210.12(a)(3), the unfair acts of the Respondents involve the design, manufacture, and importation into the United States, sale for importation into the United States, and/or sale within the United States after importation, of certain infringing integrated circuits that incorporate processors, electronic devices containing such integrated circuits (consisting of circuit board assemblies, graphics cards, smartphones, tablets, smartwatches, and computers), and components thereof, consisting of subassemblies of such integrated circuits and electronic devices.

84. Pursuant to Commission Rule 210.12(b), physical samples of the representative imported infringing articles identified in Section IV of this Complaint (*e.g.*, an NVIDIA GeForce RTX 4060 Ti Graphics Card, a OnePlus 13R smartphone, a Nothing Phone (2) smartphone, and the domestic industry representative articles identified in Section VII of this Complaint (*e.g.*, an AMD Ryzen 5 8540U Processor and AMD Instinct MI250 Accelerator), are available for inspection at Complainant's outside counsel's offices. Upon request of the Commission, Complainant will provide samples to the Commission. Complainant has also included charts and photographs with this Complaint depicting these representative involved articles.

85. Although, upon information and belief, the NVIDIA Blackwell GB200 Superchip has been imported by NVIDIA and is on sale in the United States and, physical samples of a representative imported infringing article identified in Section IV of this Complaint (*i.e.*, NVIDIA Blackwell GB200 Superchip circuit board assembly), it is not possible for Onesta to acquire physical samples at this time. For instance, in 2024, NVIDIA started shipping samples of the NVIDIA Blackwell GPU customers all over the world. *See Exhibit 35*, <https://www.tweaktown.com/news/99648/nvidia-starts-sampling-next-gen-blackwell-ai-gpus->

[mass-production-is-still-on-track/index.html](#). In addition, NVIDIA imported the NVIDIA Blackwell GB200 Superchip for its own use, including for display and demonstration at the Consumer Electronics Show (“CES”) in Las Vegas, Nevada on January 7 – January 10, 2025. *See Exhibit 36* at 3-7, Declaration of Dmitriy Andreyev (Apr. 11, 2025). Upon information and belief, NVIDIA presently engages in the importation and direct sale of its Blackwell GB200 Superchip in large volumes to its “cloud partners.” *See Exhibit 37*, <https://marketplace.nvidia.com/en-us/enterprise/cloud-solutions/>. For instance, Coreweave, which upon information and belief is principally located in the United States, is one such “cloud partner” to whom NVIDIA has shipped large volumes of Blackwell GB200 Superchip circuit board assemblies. *See Exhibit 38*, <https://blogs.nvidia.com/blog/coreweave-grace-blackwell-gb200-nv172/>. Upon information and belief, as Onesta is not an NVIDIA “cloud partner,” it is not possible for Onesta acquire a physical sample of an NVIDIA Blackwell GB200 Superchip circuit board assembly through NVIDIA’s cloud partner sales channel. Further, upon information and belief, NVIDIA’s cloud partners do not resell NVIDIA’s Blackwell GB200 Superchip circuit board assemblies, electronic devices containing the same, or components thereof. Furthermore, although upon information and belief, NVIDIA also has shipped, or intends to ship, large volumes of the NVIDIA Blackwell GB200 Superchip circuit board assembly, or similar products such as the NVIDIA GB10 Superchip, either direct-to-consumer (in the case of the NVIDIA GB10 Superchip) or through reseller partners (in the case of the NVIDIA Blackwell GB200 Superchip), due to waitlists, it is not possible to acquire physical sample these alternative (non-cloud partner) channels at this time. *See, e.g., Exhibit 39*, <https://lambdalabs.com/nvidia-blackwell-gpus> (offering reservations to waitlist for NVIDIA Blackwell 200); *Exhibit 40*, <https://www.together.ai/gpu-cluster-request> (offering reservations to waitlist for NVIDIA Blackwell 200 clusters); *Exhibit 41*, [25](https://marketplace.nvidia.com/en-</p></div><div data-bbox=)

[us/developer/dgx-spark/](#) (offering reservations, directly through NVIDIA, to waitlist for an NVIDIA DGX Spark computer, containing a similar integrated circuit known as the GB10 Superchip). Complainant has included charts, photographs, and visual representations with this Complaint depicting this representative involved article.

86. Upon information and belief, and as described in more detail in Sections IV(A)-(D) below, the articles identified herein directly and/or indirectly infringe at least the Asserted Claims of the Asserted Patents. Discovery may reveal that these products infringe additional claims of the Asserted Patents. In addition, Complainant anticipates that discovery may reveal that additional products of Respondents infringe the Asserted Patents, including but not limited to unreleased products that will become substantially fixed in design and are likely to be imported into the United States prior to the conclusion of this Investigation.

87. Upon information and belief, Respondents have had and have knowledge of, or were willfully blind to, the Asserted Patents. Respondents have knowledge of the Asserted Patents as a result of the filing and/or service of this Complaint or the related District Court complaints described *infra* ¶ 163.

88. Moreover, upon information and belief, Respondents have also knowingly induced and continue to induce direct infringing acts by others. These others directly infringe the Asserted Patents by, for example, making, using, testing, selling, offering for sale throughout, or importing into, the United States downstream products incorporating the products that infringe the Asserted Patents. Upon information and belief, Respondents have induced and continue to induce such direct infringement by, for example, contracting with, encouraging, and facilitating their customers to make, have made, use, test, sell, offer for sale, sell for importation, market, advertise, and/or import in the United States products that infringe the Asserted Patents. Upon information and

belief, Respondents specifically intended or intend these others to infringe the Asserted Patents and knew, or should have known, that these induced acts would result in the direct infringement of the Asserted Patents because of, for example, the infringement allegations and evidence provided in connection with this Complaint and/or the related District Court complaints described *infra* ¶ 163. For example, although Respondents have notice of the Asserted Patents, the scope of their claims, and the products covered thereby, Respondents nonetheless intentionally and knowingly encourage and facilitate these other to make, use, test, sell, offer for sale, sell for importation, market, advertise, and/or import in the United States such covered products and thereby directly infringe the Asserted Patents.

89. Further, upon information and belief, Respondents also contribute to the foregoing direct infringement of the Asserted Patents by their customers by, among other things, making, having made, using, testing, selling, selling for importation into the United States, marketing, advertising, and/or importing into the United States products that practice the Asserted Patents. Respondents know, or should have known, that such Respondents' products have no substantial use other than a use that infringes the Asserted Patents, are a material part of the invention of each Asserted Patent, are especially made or especially adapted for use in an infringement of the Asserted Patents, and are not staple articles or commodities of commerce suitable for substantial non-infringing use.

A. NVIDIA

1. Representative Involved Article

90. Upon information and belief, NVIDIA is engaged in the design, manufacture, and importation into the United States, sale for importation into the United States, and/or sale within the United States after importation, of articles that infringe, literally or by equivalents, at least

claims 5, 6, 7, 8, 19, and 20 of the '381 Patent, claims 1-24 of the '943 Patent, claims 1-20 of the '019 Patent, claims 1-3 and 7-10 of the '803 Patent, and claims 1-25 of the '809 Patent.

91. Pursuant to Commission Rule 210.12(a)(9)(viii), Complainant is required to chart “a representative involved article” of NVIDIA that violates Section 337. Complainant has obtained an NVIDIA GeForce RTX 4060 Ti graphics card (Part Number: 900-1G141-2560-0000) (the “NVIDIA Representative Article A”), which, upon information and belief, NVIDIA imported into the United States, sold for importation into the United States, and/or sold within the United States after importation. Complainant has also obtained visual representations the NVIDIA Blackwell GB200 Superchip circuit board assembly (the “NVIDIA Representative Article B”) which, on information and belief, NVIDIA imported into the United States, sold for importation into the United States, and/or sold within the United States after importation.

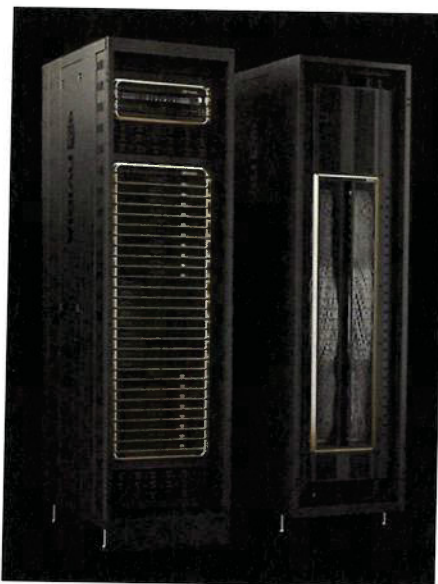
92. Upon information and belief, the NVIDIA Representative Article A is exemplary of numerous other NVIDIA articles imported into the United States, sold for importation into the United States, or sold within the United States after importation, by NVIDIA, that infringe the '381 and '943 Patents because such other devices feature the same or substantially similar infringing functionality.

93. For example, NVIDIA’s DRIVE AGX Orin Developer Kit is a circuit board assembly that includes NVIDIA’s One Orin SoC. Exhibit 42 at 2, <https://developer.nvidia.com/drive/agx> (accessed 4/11/2025). The One Orin SoC includes “NVIDIA Ampere architecture-class integrated GPU,” which upon information and belief, is substantially similar to the NVIDIA RTX 4060 Ti GPU incorporated in the NVIDIA Representative Article A. *Id.*



94. Upon information and belief, the NVIDIA Representative Article B is exemplary of numerous other NVIDIA articles imported into the United States, sold for importation into the United States, or sold within the United States after importation, by NVIDIA, that infringe the '019, '803, and '809 Patents because such other devices feature the same or substantially similar infringing functionality.

95. For example, upon information and belief, the NVIDIA GB200 NVL72 server computer—contains 36 NVIDIA Blackwell GB200 Superchip circuit board assemblies (each an NVIDIA Representative Article B). **Exhibit 43** at 2, <https://www.nvidia.com/en-us/data-center/gb200-nvl72/> (accessed 4/11/2025).



96. Further, upon information and belief, the NVIDIA Representative Article B is exemplary of NVIDIA's DGX Spark personal computer. For example, upon information and belief, NVIDIA's DGX Spark personal computer brings a "Grace Blackwell AI Supercomputer on your desk." See **Exhibit 44**, <https://www.nvidia.com/en-us/products/workstations/dgx-spark/> (accessed 04/16/2025). Each DGX Spark Supercomputer personal computer contains an NVIDIA GB10 Blackwell Superchip circuit board assembly. *Id.* Furthermore "all NVIDIA Blackwell products[,]” which upon information and belief includes the NVIDIA GB10 Blackwell Superchip, “feature two reticle-limited dies connected by a 10 terabytes per second (TB/s) chip-to-chip interconnect in a unified single GPU.” See **Exhibit 45**, <https://www.nvidia.com/en-us/data-center/technologies/blackwell-architecture/> (accessed 04/16/2025). Thus, upon information and belief, the NVIDIA Representative Article B is representative of NVIDIA's GB10 Blackwell Superchip, and NVIDIA's DGX Spark personal computer containing the same.



97. Pursuant to Commission Rule 210.12(a)(9)(x), **Exhibit 46** contains photographs of the NVIDIA Representative Article A (*i.e.*, the NVIDIA GeForce RTX 4060 Ti graphics card). As set forth below, the charts in **Exhibits 47-48** demonstrate that the NVIDIA Representative Article A violates Section 337.

98. Pursuant to Commission Rule 210.12(a)(9)(x), **Exhibit 52** contains photographs of the NVIDIA Representative Article B (*i.e.*, NVIDIA Blackwell GB200 Superchip circuit board assembly). As set forth below, the charts in **Exhibits 49-51** demonstrate that the NVIDIA Representative Article B violates Section 337.

2. Infringement of the '381 Patent

99. **Exhibit 47** includes a chart that applies certain of the asserted dependent claims, 5 and 19 (*i.e.*, an asserted dependent claim for each of the two, non-asserted, independent claims 1 and 15) of the '381 Patent to the NVIDIA Representative Article A (*i.e.*, NVIDIA RTX 4060 Ti).

Exhibit 47 shows that NVIDIA directly or indirectly infringes at least claims 5 and 19 of the '381 Patent, and their corresponding, non-asserted, independent claims 1 and 15.

3. Infringement of the '943 Patent

100. **Exhibit 48** includes a chart comparing independent claims 1, 11, and 19 of the '943 Patent to the NVIDIA Representative Article A (*i.e.*, NVIDIA RTX 4060 Ti). **Exhibit 48** shows that NVIDIA directly or indirectly infringes at least claims 1, 11, and 19 of the '943 Patent.

4. Infringement of the '019 Patent

101. **Exhibit 49** includes a chart comparing independent claims 1 and 11 of the '019 Patent to the NVIDIA Representative Article B (*i.e.*, NVIDIA Blackwell GB200 Superchip). **Exhibit 49** shows that NVIDIA directly or indirectly infringes at least claims 1 and 11 of the '019 Patent.

5. Infringement of the '803 Patent

102. **Exhibit 50** includes a chart comparing independent claim 1 of the '803 Patent to the NVIDIA Representative Article B (*i.e.*, NVIDIA Blackwell GB200 Superchip). **Exhibit 50** show that NVIDIA directly or indirectly infringes at least claim 1 of the '803 Patent.

6. Infringement of the '809 Patent

103. **Exhibit 51** includes a chart comparing independent claims 1, 12, and 20 of the '809 Patent to the NVIDIA Representative Article B (*i.e.*, NVIDIA Blackwell GB200 Superchip). **Exhibit 51** show that NVIDIA directly or indirectly infringes at least claims 1, 12, and 20 of the '809 Patent.

7. Specific Instance of Sale and Importation

104. NVIDIA imports into the United States, sells for importation into the United States, and/or sells within the United States after importation, articles that infringe, including the NVIDIA

Representative Article A depicted in **Exhibit 46** and the NVIDIA Representative Article B depicted in **Exhibit 52**.

105. Pursuant to Commission Rule 210.12(a)(3), **Exhibit 53** contains a receipt showing a sale of an NVIDIA Representative Article A (*i.e.*, the NVIDIA GeForce RTX 4060 Ti graphics card), within the United States after importation. Complainant's counsel purchased the NVIDIA Representative Article A online in the United States on December 3, 2024, for shipment to its office in Boston, MA. **Exhibit 53**. The shipping label of this product shows that NVIDIA shipped the NVIDIA Representative Article A from Middletown, PA, and the product arrived in Boston, Massachusetts on December 9, 2024. **Exhibit 46** at 1. Upon receipt of the shipment in Boston, Complainant's counsel photographed the product packaging, which shows that the NVIDIA Representative Article A was made in China. **Exhibit 46** at 3. Therefore, the NVIDIA Representative Article A was imported into the United States.

106. Pursuant to Commission Rule 210.12(a)(3), **Exhibit 52** contains photos of an NVIDIA Representative Article B (*i.e.*, NVIDIA Blackwell GB200 Superchip) on display at the Consumer Electronics Show ("CES") in Las Vegas, Nevada on January 7 – January 10, 2025. Upon information and belief, the NVIDIA Blackwell GB200 Superchip is fabricated in Taiwan. See **Exhibit 36** at 3-7, Declaration of Dmitriy Andreyev (Apr. 11, 2025); **Exhibit 54** at 2, <https://nvidianews.nvidia.com/news/nvidia-blackwell-platform-arrives-to-power-a-new-era-of-computing> (accessed 4/11/2025) ("Blackwell-architecture GPUs are manufactured using a custom-built 4NP TSMC process"); **Exhibit 55** at 1, <https://www.tomshardware.com/tech-industry/artificial-intelligence/nvidias-jensen-huang-admits-ai-chip-design-flaw-was-100-percent-nvidias-fault-tsmc-not-to-blame-now-fixed-blackwell-chips-are-in-production> (accessed 4/11/2025) ("Nvidia's Blackwell B100 and B200 GPUs link their two chiplets using TSMC's

CoWoS-L packaging technology”); **Exhibit 56** at 1, <https://3dfabric.tsmc.com/english/dedicatedFoundry/technology/3DFabric.htm> (accessed 04/11/2025) (stating that CoWoS is one of TSMC’s “backend technologies”); **Exhibit 57** at 3-4, https://www.tsmc.com/english/aboutTSMC/TSMC_Fabs (accessed 4/11/2025) (showing that all of TSMC’s “Backend Fabs” are located in Taiwan). Additionally, photos of NVIDIA Representative Article B show that the housing of an integrated circuit incorporated into the NVIDIA Blackwell GB200 Superchip circuit board assembly is marked with the designation of “TW,” which upon information and belief, means that the NVIDIA Representative Article B was manufactured and assembled in Taiwan. **Exhibit 52** at 3-4. Therefore, the NVIDIA Representative Article B was imported into the United States.

8. Indirect Infringement

107. Moreover, upon information and belief, NVIDIA also has knowingly induced and continues to induce direct infringing acts by others, such as its subsidiaries and affiliates, original equipment manufacturers, customers, resellers, retailers, and other third parties. For example, upon information and belief, NVIDIA contracts with and encourages these others, including its subsidiaries and affiliates, customers, original equipment manufacturers, resellers, retailers, and other third parties, to make, have made, use, test, sell, sell for importation, market, advertise, and/or import in the United States products that infringe the Asserted Patents. Further, upon information and belief, NVIDIA hires permanent sales and/or marketing personnel located in the United States that are engaged in sales and/or marketing activities that are targeted to original equipment manufacturers, customers, resellers, and retailers based in the United States, including instructions for making, using, testing, selling, and/or selling for importation the products that infringe. Upon information and belief, NVIDIA knew, or should have known, that these induced acts would result

in the direct infringement of the Asserted Patents because of, for example, the infringement allegations and evidence provided in connection with this Complaint.

108. Further, upon information and belief, NVIDIA also contributes to the foregoing direct infringement of the Asserted Patents by its subsidiaries and affiliates, resellers, retailers, partners, customers, and/or other third parties by selling products that infringe to such third parties for use in downstream end-user products in a manner than infringes the Asserted Patents. The products that infringe have no substantial non-infringing uses and are a material part of the invention. Moreover, the products that infringe provide vital functionality to such downstream products. Further, the products that infringe cannot be used without being incorporated into a downstream product. Thus, any manufacture, use, test, sale, sale for importation, sale after importation, or importation into the United States of a product that infringes or a downstream product incorporating a product that infringes, infringes the Asserted Patents.

109. Thus, NVIDIA is violating Section 337 of the Tariff Act of 1930 by importing into the United States, selling for importation into the United States, and/or selling within the United States after importation, the NVIDIA Representative Article A and the NVIDIA Representative Article B, as well as other articles that infringe the Asserted '381, '943, '019, '803, and '809 Patents.

B. Qualcomm

1. Representative Involved Article

110. Upon information and belief, Qualcomm is engaged in the design, manufacture, and importation into the United States, sale for importation into the United States, and/or sale within the United States after importation, of articles that infringe, literally or by equivalents, at least claims 5, 6, 7, 8, 19 and 20 of the '381 Patent, claims 1-24 of the '943 Patent, claims 1-25 of the '350 Patent, claims 1-20 of the '019 Patent, and claims 1-25 of the '809 Patent.

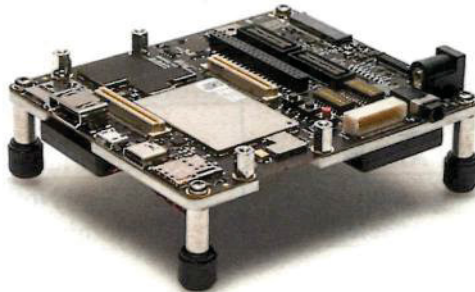
111. Pursuant to Commission Rule 210.12(a)(9)(viii), Complainant is required to chart “a representative involved article” of Qualcomm that violates Section 337. As set forth below, Complainant has obtained two Qualcomm representative articles, each of which is incorporated in either a OnePlus Representative Article and/or a Nothing Representative Article (collectively, the “Qualcomm Representative Articles”).

Qualcomm Representative Article	Other Respondent Representative Article
Qualcomm Snapdragon 8 Gen 3 (Qualcomm Representative Article A)	OnePlus 13R (OnePlus Representative Article)
Qualcomm Snapdragon 8+ Gen 1 (Qualcomm Representative Article B)	Nothing Phone (2) (Nothing Representative Article)

112. Upon information and belief, the Qualcomm Representative Articles A and B, described below, are exemplary of numerous other Qualcomm articles imported into the United States, sold for importation into the United States, or sold within the United States after importation, by Qualcomm because such other devices feature the same or substantially similar infringing functionality. Specifically, upon information and belief: (1) the Qualcomm Snapdragon 8 Gen 3 (“Qualcomm Representative Article A”) is representative of numerous other articles imported into the United States, sold for importation into the United States, or sold within the United States after importation, by Qualcomm, that infringe the ’381, ’943, ’350, ’019, and ’809 Patents; and (2) the Qualcomm Snapdragon 8+ Gen 1 (“Qualcomm Representative Article B”) is representative of numerous other articles imported into the United States, sold for importation into the United States, or sold within the United States after importation, by Qualcomm, that infringe the ’381, ’943, ’350, ’019, and ’809 Patents.

113. For example, the Qualcomm Innovators Development Kit (QIDK) is a circuit board assembly that “aims to enable developers to with Snapdragon mobile platforms” and includes a circuit board assembly that incorporates the “latest premium Snapdragon system-on-chip (SoC).”

Exhibit 31 at 2, <https://www.qualcomm.com/developer/hardware/qualcomm-innovators-development-kit> (accessed 04/11/2025). Upon information and belief, the “latest premium Snapdragon system-on-chip (SoC)” incorporated in the QIDK is substantially similar to the Qualcomm Representative Articles A and B, all of which are premium Snapdragon SoCs. *Id.*



114. Pursuant to Commission Rule 210.12(a)(9)(x), **Exhibits 58 and 59** contain receipts of products that contain the Qualcomm Representative Articles. Specifically, **Exhibit 58** contains receipts of the OnePlus 13R smartphone (the OnePlus Representative Article) that contains the Qualcomm Representative Article A (*i.e.*, the Qualcomm Snapdragon 8 Gen 3); and **Exhibit 59** contains receipts of the Nothing Phone (2) smartphone (the Nothing Representative Article) that contains the Qualcomm Representative Article B (*i.e.*, the Qualcomm Snapdragon 8+ Gen 1). **Exhibits 60 and 61** contain photographs of the Qualcomm Representative Articles.⁶ As set forth

⁶ As shown in the photographs, the Qualcomm Representative Articles are, upon information and belief, obscured by “companion memory devices” supplied by SK Hynix, which are mounted on top of the Qualcomm Representative Articles. **Exhibit 60**, 9 (Qualcomm Representative Article A); **Exhibit 61**, 11; *see also* **Exhibit 62**, <https://docs.qualcomm.com/bundle/publicresource/topics/80-PV086-5P/pop-memory.html> (accessed 04/11/2025) (Qualcomm describing its Package on Package (PoP) memory technology where a “companion memory device” is mounted on top of a Qualcomm integrated circuit). Accordingly, Complainants have also furnished screenshots from the OnePlus and Nothing Representative Articles confirming that the Qualcomm Representative Articles are incorporated therein. *See* **Exhibit 60**, 6-7 (Qualcomm Representative Article A) and **Exhibit 61**, 7-8 (Qualcomm Representative Article B).

below, the charts in **Exhibits 63-72** demonstrate that these Qualcomm Representative Articles violate Section 337.

2. Infringement of the '381 Patent

115. **Exhibits 63 and 64** include charts that apply certain of the asserted dependent claims, 5 and 19 (*i.e.*, an asserted dependent claim for each of the two, non-asserted, independent claims 1 and 15) to the Qualcomm Representative Article A (*i.e.*, the Qualcomm Snapdragon 8 Gen 3) as incorporated in the OnePlus 13R and the Qualcomm Representative Article B (*i.e.*, the Qualcomm Snapdragon 8+ Gen 1) in the Nothing Phone (2). **Exhibits 63 and 64** show that Qualcomm directly or indirectly infringes at least claims 5 and 19 of the '381 Patent, and their corresponding, non-asserted, independent claims 1 and 15.

3. Infringement of the '943 Patent

116. **Exhibits 65 and 66** include charts comparing independent claims 1, 11, and 19 of the '943 Patent to the Qualcomm Representative Article A (*i.e.*, the Qualcomm Snapdragon 8 Gen 3) as incorporated in the OnePlus 13R and the Qualcomm Representative Article B (*i.e.*, the Qualcomm Snapdragon 8+ Gen 1) in the Nothing Phone (2). **Exhibits 65 and 66** show that Qualcomm directly or indirectly infringes at least claims 1, 11, and 19 of the '943 Patent.

4. Infringement of the '019 Patent

117. **Exhibits 67 and 68** include charts comparing independent claims 1 and 11 of the '019 Patent to the Qualcomm Representative Article A (*i.e.*, the Qualcomm Snapdragon 8 Gen 3) as incorporated in the OnePlus 13R and the Qualcomm Representative Article B (*i.e.*, the Qualcomm Snapdragon 8+ Gen 1) in the Nothing Phone (2). **Exhibits 67 and 68** show that Qualcomm directly or indirectly infringes at least claims 1 and 11 of the '019 Patent.

5. Infringement of the '350 Patent

118. **Exhibits 69 and 70** include charts comparing independent claims 1, 17, 18, 20, and 23-25 of the '350 Patent to the Qualcomm Representative Article A (*i.e.*, the Qualcomm Snapdragon 8 Gen 3) as incorporated in the OnePlus 13R and the Qualcomm Representative Article B (*i.e.*, the Qualcomm Snapdragon 8+ Gen 1) in the Nothing Phone (2). **Exhibits 69 and 70** show that Qualcomm directly or indirectly infringes at least claims 1, 17, 18, 20, and 23-25 of the '350 Patent.

6. Infringement of the '809 Patent

119. **Exhibits 71 and 72** include charts comparing independent claim 1, 12, and 20 of the '809 Patent to the Qualcomm Representative Article A (*i.e.*, the Qualcomm Snapdragon 8 Gen 3) as incorporated in the OnePlus 13R and the Qualcomm Representative Article B (*i.e.*, the Qualcomm Snapdragon 8+ Gen 1) in the Nothing Phone (2). **Exhibits 71 and 72** show that Qualcomm directly or indirectly infringes at least claims 1, 12, and 20 of the '809 Patent.

7. Specific Instance of Sale and Importation

120. Qualcomm imports into the United States, sells for importation into the United States, and/or sells within the United States after importation, articles that infringe, including the Qualcomm Representative Articles.

121. Pursuant to Commission Rule 210.12(a)(3), **Exhibit 58** contains a receipt showing a sale of a Qualcomm Representative Article A (*i.e.*, the Qualcomm Snapdragon 8 Gen 3), within the United States after importation. Complainant's counsel purchased a OnePlus 13R smartphone, containing the Qualcomm Snapdragon 8 Gen 3, online in the United States from Best Buy for pickup in Saugus, MA. **Exhibit 58**. Upon receipt of the Qualcomm Representative Article A in Boston, Complainant's counsel photographed the packaging of the OnePlus 13R, which shows that it was "Made in China," thereby evidencing the incorporation of the Qualcomm

Representative Article A (*i.e.*, the Qualcomm Snapdragon 8 Gen 3) into the OnePlus 13R smartphone prior to its importation into the United States. **Exhibit 60** at 2. Therefore, the Qualcomm Representative Article A was imported into the United States.

122. Pursuant to Commission Rule 210.12(a)(3), **Exhibit 59** contains a receipt showing a sale of a Qualcomm Representative Article B (*i.e.*, the Qualcomm Snapdragon 8+ Gen 1), within the United States after importation. Complainant's counsel purchased a Nothing Phone (2), containing the Qualcomm Snapdragon 8+ Gen 1, online in the United States on February 14, 2025, for shipment to its office in Boston, MA. **Exhibit 59**. The shipping label of this product shows that Virtual Depot shipped the Qualcomm Representative Article B from Hialeah, Florida, and the product arrived in Boston, Massachusetts on February 24, 2025. **Exhibit 61** at 1. Upon receipt of the Qualcomm Representative Article B in Boston, Complainant's counsel photographed the packaging of the Nothing Phone (2), which shows that it was "ASSEMBLED IN CHINA," thereby evidencing the incorporation of the Qualcomm Representative Article B (*i.e.*, the Qualcomm Snapdragon 8+ Gen 1) into the Nothing Phone (2) prior to its importation into the United States. **Exhibit 61** at 3. Therefore, the Qualcomm Representative Article B was imported into the United States.

8. Indirect Infringement

123. Moreover, upon information and belief, Qualcomm also has knowingly induced and continues to induce direct infringing acts by others, such as its subsidiaries and affiliates, original equipment manufacturers, customers, resellers, retailers, and other third parties. For example, upon information and belief, Qualcomm contracts with and encourages these others, including its subsidiaries and affiliates, customers, original equipment manufacturers, resellers, retailers, and other third parties to make, have made, use, test, sell, sell for importation, market, advertise, and/or import in the United States products that infringe the Asserted Patents. Further,

upon information and belief, Qualcomm hires permanent sales and/or marketing personnel located in the United States that are engaged in sales and/or marketing activities that are targeted to original equipment manufacturers, customers, resellers, and retailers based in the United States, including instructions for making, using, testing, selling, and/or selling for importation the products that infringe. Upon information and belief, Qualcomm knew, or should have known, that these induced acts would result in the direct infringement of the Asserted Patents because of, for example, the infringement allegations and evidence provided in connection with this Complaint.

124. Further, upon information and belief, Qualcomm also contributes to the foregoing direct infringement of the Asserted Patents by its subsidiaries, affiliates, retail partners, customers, and/or other third parties by selling products that infringe to such third parties for use in downstream end-user products in a manner than infringes the Asserted Patents. The products that infringe have no substantial non-infringing uses and are a material part of the invention. Moreover, the products that infringe provide vital functionality to such downstream products. Further, the products that infringe cannot be used without being incorporated into a downstream product. Thus, any manufacture, use, test, sale, sale for importation, sale after importation, or importation into the United States of a product that infringes or a downstream product incorporating a product that infringes, infringes the Asserted Patents.

125. Thus, Qualcomm is violating Section 337 of the Tariff Act of 1930 by importing into the United States, selling for importation into the United States, and/or selling within the United States after importation, the Qualcomm Representative Articles, as well as other articles that infringe the Asserted '381, '943, '019, '350, and 809 Patents.

C. OnePlus

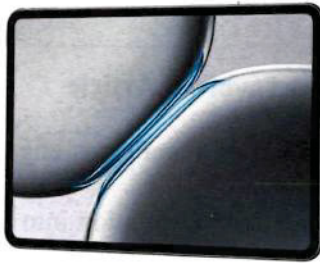
1. Representative Involved Article

126. Upon information and belief, OnePlus is engaged in the design, manufacture, and importation into the United States, sale for importation into the United States, and/or sale within the United States after importation, of articles that infringe, literally or by equivalents, at least claims 5, 6, 7, 8, 19 and 20 of the '381 Patent, claims 1-24 of the '943 Patent, claims 1-25 of the '350 Patent, claims 1-20 of the '019 Patent, and claims 1-25 of the '809 Patent.

127. Pursuant to Commission Rule 210.12(a)(9)(viii), Complainant is required to chart “a representative involved article” of OnePlus that violates Section 337. Complainant has obtained the following product which, on information and belief, OnePlus imported into the United States, sold for importation into the United States, and/or sold within the United States after importation: a OnePlus 13R smartphone (the “OnePlus Representative Article”).

128. Upon information and belief, the OnePlus Representative Article is exemplary of numerous other OnePlus articles imported, sold for importation, or sold within the United States after importation, into the United States by OnePlus that infringe the '381, '943, '350, '019, and '809 Patents, because such other OnePlus articles incorporate Qualcomm articles that feature the same or substantially similar infringing functionality.

129. For example, like the OnePlus Representative Article, the OnePlus Pad 2 tablet also includes the Qualcomm Snapdragon 8 Gen 3 processor. **Exhibit 73**, <https://www.oneplus.com/us/buy-oneplus-pad-2> (accessed 4/15/2025).



130. In addition, the OnePlus Watch 3 smartwatch includes a Qualcomm Snapdragon W5 processor. **Exhibit 74**, <https://www.oneplus.com/us/buy-oneplus-watch-3> (accessed 04/15/2025). The Qualcomm Snapdragon W5 processor includes an Adreno 700 series GPU, *i.e.*, the 702 GPU, which, upon information and believe, is substantially similar to the Qualcomm Snapdragon 8 Gen 3 processor incorporated in the OnePlus Representative Article. *Id.*; **Exhibit 75** at 2-3, https://docs.qualcomm.com/bundle/publicresource/87-43671-1_REV_B_Snapdragon_W5_and_Snapdragon_W5_Gen_1_Wearable_Platforms_Product_Brief.pdf (accessed 04/15/2025); **Exhibit 76**, <https://www.oneplus.com/us/oneplus-13r> (accessed 04/15/2025).



131. Pursuant to Commission Rule 210.12(a)(9)(x), **Exhibit 58** contains receipts of the OnePlus Representative Article and **Exhibit 60** contains photographs of the OnePlus

Representative Article. As set forth below, the charts in **Exhibits 63, 65, 67, 69, and 71** demonstrate that the OnePlus Representative Article violates Section 337.⁷

2. Infringement of the '381 Patent

132. **Exhibit 63** includes a chart that applies certain of the asserted dependent claims, 5 and 19 (*i.e.*, an asserted dependent claim for each of the two, non-asserted, independent claims 1 and 15) of the '381 Patent to the OnePlus Representative Article (*i.e.*, the OnePlus 13R). **Exhibit 63** shows that OnePlus directly or indirectly infringes at least claims 5 and 19 of the '381 Patent, and their corresponding, non-asserted, independent claims 1 and 15.

3. Infringement of the '943 Patent

133. **Exhibit 65** includes a chart comparing independent claims 1, 11, and 19 of the '943 Patent to the OnePlus Representative Article (*i.e.*, the OnePlus 13R). **Exhibit 65** shows that OnePlus directly or indirectly infringes at least claims 1, 11, and 19 of the '943 Patent.

4. Infringement of the '019 Patent

134. **Exhibit 67** includes a chart comparing independent claims 1 and 11 of the '019 Patent to the OnePlus Representative Article (*i.e.*, the OnePlus 13R). **Exhibit 67** shows that OnePlus directly or indirectly infringes at least claims 1 and 11 of the '019 Patent.

5. Infringement of the '350 Patent

135. **Exhibit 69** includes a chart comparing independent claims 1, 17, 18, 20, 23-25 of the '350 Patent to the OnePlus Representative Article (*i.e.*, the OnePlus 13R). **Exhibit 69** shows that OnePlus directly or indirectly infringes at least claims 1, 17, 18, 20, 23-25 of the '350 Patent.

⁷ As set forth above, **Exhibits 63, 65, 67, 69, and 71** also demonstrate that the Qualcomm Representative Articles, which are incorporated into the OnePlus Representative Article, violate Section 337.

6. Infringement of the '809 Patent

136. **Exhibit 71** includes a chart comparing independent claim 1, 12, and 20 of the '809 Patent to the OnePlus Representative Article (*i.e.*, the OnePlus 13R). **Exhibit 71** shows that OnePlus directly or indirectly infringes at least claims 1, 12, and 20 of the '809 Patent.

7. Specific Instance of Sale and Importation

137. OnePlus imports into the United States, sells for importation into the United States, and/or sells within the United States after importation, articles that infringe, including the OnePlus Representative Article depicted in **Exhibit 60**.

138. Pursuant to Commission Rule 210.12(a)(3), **Exhibit 58** contains a receipt showing a sale of the OnePlus Representative Article (*i.e.*, the OnePlus 13R smartphone, which incorporates the Qualcomm Snapdragon 8 Gen 3), within the United States after importation. Complainant's counsel purchased the OnePlus 13R online in the United States from Best Buy for pickup in Saugus, MA. **Exhibit 58**. Upon receipt of the OnePlus Representative Article in Boston, Complainant's counsel photographed the packaging, which shows that the OnePlus 13R was "Made in China," **Exhibit 60** at 2. Therefore, the OnePlus Representative Article was imported into the United States.

139. As explained above in Section IV.C.1 *supra*, the OnePlus Representative Article (*i.e.*, the OnePlus 13R smartphone, which incorporates the Qualcomm Snapdragon 8 Gen 3), the OnePlus Representative Article is representative of other OnePlus articles and product categories, including OnePlus tablets and smartwatches. Upon information and belief, these other OnePlus articles and product categories are also imported.

140. For instance, **Exhibit 77** contains a receipt showing a sale of the OnePlus Pad 2 tablet (which incorporates the Qualcomm Snapdragon 8 Gen 3), within the United States after importation. Complainant's counsel purchased the OnePlus Pad 2 online in the United States from OnePlus on April 1, 2025, for shipment to its office in Boston, MA. **Exhibit 77**. The shipping

history of this product shows that OnePlus shipped the OnePlus Pad 2 from its warehouse in Dayton, New Jersey via the United States Postal Service on April 2, 2025 and the product arrived in Boston, Massachusetts on April 5, 2025. **Exhibit 77** at 4. Upon receipt of the OnePlus Pad 2 tablet, Complainant's counsel photographed the packaging which shows that the OnePlus Pad 2 tablet was "Made in China." **Exhibit 78** at 2. Therefore, the OnePlus Pad 2 tablet was imported into the United States.

141. Similarly, **Exhibit 79** contains a receipt showing a sale of the OnePlus Watch 2 smartwatch (which incorporates the Qualcomm Snapdragon W5), within the United States after importation. Complainant's counsel purchased the OnePlus Watch 2 online in the United States from Amazon.com on April 1, 2025, for shipment to its office in Boston, MA. **Exhibit 79**. The shipping history of this product shows that OnePlus shipped the OnePlus Watch 2 smartwatch via Amazon on April 1, 2025, from "Revere, US" and the product arrived in Boston, Massachusetts on April 2, 2025. **Exhibit 79** at 3. Upon receipt of the OnePlus Watch 2, Complainant's counsel photographed the packaging which shows that the OnePlus Watch 2 smartwatch was "Made in China." **Exhibit 80** at 3. Therefore, the OnePlus Watch 2 smartwatch was imported into the United States.

8. Indirect Infringement

142. Moreover, upon information and belief, OnePlus also has knowingly induced and continues to induce direct infringing acts by others, such as its subsidiaries and affiliates, customers (including end-users), resellers, retailers, and other third parties. For example, upon information and belief, OnePlus contracts with and encourages these others, including its subsidiaries and affiliates, customers including end-users), resellers, retailers, and other third parties to make, have made, use, test, sell, sell for importation, market, advertise, and/or import in the United States products that infringe the Asserted Patents. Further, upon information and belief,

OnePlus engages in marketing, advertising, and/or sales activities in the United States targeted towards end-users, including providing instructions for use of the products that infringe the Asserted Patents. Upon information and belief, OnePlus knew, or should have known, that these induced acts would result in the direct infringement of the Asserted Patents because of, for example, the infringement allegations and evidence provided in connection with this Complaint.

143. Further, upon information and belief, OnePlus also contributes to the foregoing direct infringement of the Asserted Patents by its subsidiaries and affiliates, resellers, retailers, customers (including end-users), and/or other third parties by selling products that infringe to such third parties for use in downstream end-user products in a manner than infringes the Asserted Patents. The products that infringe have no substantial non-infringing uses and are a material part of the invention. Thus, any manufacture, use, test, sale, sale for importation, sale after importation, or importation into the United States of a product that infringes or a downstream product incorporating a product that infringes, infringes the Asserted Patents.

144. Thus, OnePlus is violating Section 337 of the Tariff Act of 1930 by importing into the United States, selling for importation into the United States, and/or selling within the United States after importation, the OnePlus Representative Article, OnePlus Pad 2, OnePlus Watch 2, as well as other articles that infringe the Asserted '381, '943, '019, '350, and '809 Patents.

D. Nothing

1. Representative Involved Article

145. Upon information and belief, Nothing is engaged in the design, manufacture, and importation into the United States, sale for importation into the United States, and/or sale within the United States after importation, of articles that infringe, literally or by equivalents, at least claims 5, 6, 7, 8, 19 and 20 of the '381 Patent, claims 1-24 of the '943 Patent, claims 1-25 of the '350 Patent, claims 1-20 of the '019 Patent, and claims 1-25 of the '809 Patent.

146. Pursuant to Commission Rule 210.12(a)(9)(viii), Complainant is required to chart “a representative involved article” of Nothing that violates Section 337. Complainant has obtained the following product which, on information and belief, Nothing imported into the United States, sold for importation into the United States, and/or sold within the United States after importation: a Nothing Phone (2) smartphone (the “Nothing Representative Article”).

147. Upon information and belief, the Nothing Representative Article is exemplary of numerous other Nothing articles imported into the United States, sold for importation into the United States, or sold within the United States after importation by Nothing that infringe the '381, '943, '350,'019, and '809 Patents, because such other Nothing articles incorporate Qualcomm articles that feature the same or substantially similar infringing functionality.

148. Pursuant to Commission Rule 210.12(a)(9)(x), **Exhibit 59** contains receipts of the Nothing Representative Article and **Exhibit 61** contains photographs of the Nothing Representative Article. As set forth below, the charts in **Exhibits 64, 66, 68, 70, and 72** demonstrate that the Nothing Representative Article violates Section 337.⁸

2. Infringement of the '381 Patent

149. **Exhibit 64** includes a chart that applies certain of the asserted dependent claims, 5 and 19 (*i.e.*, an asserted dependent claim for each of the two, non-asserted, independent claims 1 and 15) of the '381 Patent to the Nothing Representative Article (*i.e.*, the Nothing Phone (2)). **Exhibit 64** shows that Nothing directly or indirectly infringes at least claims 5 and 19 of the '381 Patent, and their corresponding, non-asserted, independent claims 1 and 15.

⁸ As set forth above, **Exhibits 64, 66, 68, 70, and 72** also demonstrate that the Qualcomm Representative Articles, which are incorporated into the Nothing Representative Article, violate Section 337.

3. Infringement of the '943 Patent

150. **Exhibit 66** includes a chart comparing independent claims 1, 11, and 19 of the '943 Patent to the Nothing Representative Article (*i.e.*, the Nothing Phone (2)). **Exhibit 66** shows that Nothing directly or indirectly infringes at least claims 1, 11, and of the '943 Patent.

4. Infringement of the '019 Patent

151. **Exhibit 68** includes a chart comparing independent claims 1 and 11 of the '019 Patent to the Nothing Representative Article (*i.e.*, the Nothing Phone (2)). **Exhibit 68** shows that Nothing directly or indirectly infringes at least claims 1 and 11 of the '019 Patent.

5. Infringement of the '350 Patent

152. **Exhibit 70** includes a chart comparing independent claims 1, 17, 18, 20, 23-25 of the '350 Patent to the Nothing Representative Article (*i.e.*, the Nothing Phone (2)). **Exhibit 70** shows that Nothing directly or indirectly infringes at least claims 1, 17, 18, 20, 23-25 of the '350 Patent.

6. Infringement of the '809 Patent

153. **Exhibit 72** includes a chart comparing independent claim 1, 12, and 20 of the '809 Patent to the Nothing Representative Article (*i.e.*, Nothing Phone (2)). **Exhibit 72** show that Nothing directly or indirectly infringes at least claims 1, 12, and 20 of the '809 Patent.

7. Specific Instance of Sale and Importation

154. Nothing imports into the United States, sells for importation into the United States, and/or sells within the United States after importation, articles that infringe, including the Nothing Representative Article depicted in **Exhibit 61**.

155. Pursuant to Commission Rule 210.12(a)(3), **Exhibit 59** contains a receipt showing a sale of the Nothing Representative Article (*i.e.*, the Nothing Phone (2), which incorporates the Qualcomm Snapdragon 8+ Gen 1), within the United States after importation. Complainant's

counsel purchased the Nothing Phone (2) online in the United States on February 14, 2025, for shipment to its office in Boston, MA. **Exhibit 59**. The shipping label of this product shows that Virtual Depot shipped the Nothing Representative Article from Hialeah, Florida, and the product arrived in Boston, Massachusetts on February 24, 2025. **Exhibit 61**. Upon receipt of the Nothing Representative Article in Boston, Complainant's counsel photographed the packaging, which shows that the of the Nothing Phone (2) was "ASSEMBLED IN CHINA," **Exhibit 61** at 3. Therefore, the Nothing Representative Article was imported into the United States.

8. Indirect Infringement

156. Moreover, upon information and belief, Nothing also has knowingly induced and continues to induce direct infringing acts by others, such as its subsidiaries and affiliates, customers (including end-users), resellers, retailers, and other third parties. For example, upon information and belief, Nothing contracts with and encourages these others, including its subsidiaries and affiliates, customers (including end-users), resellers, retailers, and other third parties to make, have made, use, test, sell, sell for importation, market, advertise, and/or import in the United States products that infringe the Asserted Patents. Further, upon information and belief, Nothing engages in marketing, advertising, and/or sales activities in the United States targeted towards end-users, including providing instructions for use of the products that infringe the Asserted Patents. Upon information and belief, Nothing knew, or should have known, that these induced acts would result in the direct infringement of the Asserted Patents because of, for example, the infringement allegations and evidence provided in connection with this Complaint.

157. Further, upon information and belief, Nothing also contributes to the foregoing direct infringement of the Asserted Patents by its subsidiaries and affiliates, resellers, retailers, customers (including end-users), and/or other third parties by selling products that infringe to such third parties for use in downstream end-user products in a manner than infringes the Asserted

Patents. The products that infringe have no substantial non-infringing uses and are a material part of the invention. Thus, any manufacture, use, test, sale, sale for importation, sale after importation, or importation into the United States of a product that infringes or a downstream product incorporating a product that infringes, infringes the Asserted Patents.

158. Thus, Nothing is violating Section 337 of the Tariff Act of 1930 by importing, selling for importation, and/or selling within the United States after importation, into the United States, the Nothing Representative Article, as well as other articles that infringe the Asserted '381, '943, '019, '350, and '809 Patents.

V. HARMONIZED TARIFF SCHEDULE INFORMATION

159. Upon information and belief, the articles involved and other infringing articles subject to this Complaint are classifiable under at least the following headings and subheadings of the Harmonized Tariff Schedule (“HTS”) of the United States: 8471.30.01 (Portable automatic data processing machines, weighing not more than 10 kg, consisting of at least a central processing unit, a keyboard and a display); 8471.49.00 (Other automatic data processing machines entered in the form of systems); 8471.50.01 (Processing units other than those of subheading 8471.41 or 8471.49, whether or not containing in the same housing one or two of the following types of unit: storage units, input units, output units); 8471.80.10 (Other units of automatic data processing machines); 8517.62.00 (Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus); 8517.13.00 (Smartphones); 8517.62.90 (Machines for the reception, conversion and transmission or regeneration of voice, images or other data, including switching and routing apparatus: Other); 8541.21.00 (Transistors, other than photosensitive transistors); 8541.50.00 (Other semiconductor devices); 8542 (Electronic integrated circuits); 8542.31.00 (Processors and controllers, whether or not combined with memories, converters, logic circuits, amplifiers, clock and timing circuits, or

other circuits). These HTS identifications are for illustrative purposes only in compliance with the Commission Rules, and are not intended to restrict the scope of the Investigation.

VI. RELATED LITIGATION

160. Pursuant to Commission Rule 210.12(a)(5), the '381 Patent was the subject of an investigation before the International Trade Commission, captioned *Certain Graphics Systems, Components Thereof, and Digital Televisions Containing the Same*, Inv. No. 337-TA-1318 (the "Prior ITC Investigation"). **Exhibit 81**, Institution of Investigation, 87 Fed. Reg. 34718 (June 7, 2022). The initial determination in the Prior ITC Investigation found that: (i) complainant AMD demonstrated that the respondents directly infringed claims 15-17, 19, and 20 of the '381 Patent; (ii) such respondents demonstrated that claims 15-17 of the '381 Patent are invalid, but did not show that claims 19 or 20 of the '381 Patent are invalid; and (iii) AMD satisfied the technical prong of the domestic industry requirement as to the '381 Patent. *See Exhibit 82*, Initial Determination at 89-180 (July 7, 2023) (Public Version). The initial determination also found that AMD satisfied the economic prong of the domestic industry requirement as to the '381 Patent. *See Exhibit 83*, Initial Determination Granting Complainants Advanced Micro Devices, Inc. and ATI Technologies ULC's Motion for Summary Determination That the Economic Prong of Domestic Industry Is Satisfied (Feb. 6, 2023) (Public Version). The Commission issued a final determination in the Prior ITC Investigation finding a violation of section 337 by the respondents with respect to claims 19 and 20 of the '381 Patent. *See Exhibit 84*, Notice of Final Determination, 89 Fed. Reg. 5934-35 (Jan. 30, 2024); **Exhibit 85**, Comm'n Opinion (Jan. 24, 2024) (Public Version). Respondent Realtek Semiconductor Corporation ("Realtek") filed an appeal from the Commission's final determination with the U.S. Court of Appeals for the Federal Circuit and the Federal Circuit later granted Realtek's voluntary dismissal of the appeal. *See Exhibit 86*, *Realtek Semiconductor Corp. v. ITC*, Appeal No. 24-1613, Docketing Statement (Fed. Cir. Apr. 29, 2024);

Exhibit 87, *Realtek Semiconductor Corp. v. ITC*, Appeal No. 24-1613, ECF No. 28 (Fed. Cir. July 1, 2024).

161. The '381 Patent was also the subject of prior litigation that AMD filed in the United States District Court for the Eastern District of Texas, styled as *Advanced Micro Devices, Inc. v. TCL Industries Holdings Co., Ltd.*, Case No. 2:22-cv-00134 (E.D. Tex.). The Texas action was ultimately dismissed with prejudice as a result of a settlement reached by the parties.

162. The '381 Patent was also the subject of an *inter partes* review proceeding, based on a petition filed by Realtek Semiconductor Corp., styled as *Realtek Semiconductor Corp. v. Advanced Micro Devices, Inc. et al.*, IPR2023-00687 (P.T.A.B.). The proceeding was instituted but later terminated prior to a final written decision as a result of a settlement reached by the parties.

163. Pursuant to Commission Rule 210.12(a)(5), Complainant is also asserting certain Asserted Patents against: The Respondents have cases pending in the United States District Court for the Western District of Texas, styled as *Onesta IP, LLC v. NVIDIA Corp.*, No. 1:25-cv-00586 (W.D. Tex.) and *Onesta IP, LLC v. Qualcomm Inc., et al.* 1:25-cv-00587 (W.D. Tex.). In addition, Complainant is asserting a foreign counterpart of the '381 Patent (EP 2,473,920) against Qualcomm Technologies, Inc., Xiaomi Technology Netherlands B.V., and Xiaomi Technology Germany GmbH in proceedings before the Munich Regional Court, Patent Litigation Chamber located in Munich, Germany. No responsive pleadings have been filed in these proceedings.

164. Pursuant to Commission Rule 210.12(a)(5), Complainant states that, other than the litigation specified above, to Complainant's knowledge, the alleged unfair methods of competition and unfair acts, or the subject matter thereof, are not, and have not been, the subject of any court or agency litigation.

VII. DOMESTIC INDUSTRY RELATING TO THE ASSERTED PATENTS

165. Pursuant to Commission Rule 210.12(a)(6)(i), a domestic industry as defined in Section 337(a)(3) exists in the United States as the result of domestic activities related to the technology of the Asserted Patents and products that practice the Asserted Patents due to investments of Onesta's licensee AMD. Additionally, a domestic industry in the United States is in the process of being established as to each of the Asserted Patents due to the investments of Onesta's licensee AMD in certain confidential AMD products that are still under development and not yet commercialized. *See, e.g., Confidential Exhibit 14C*, AMD Decl.

A. AMD

166. AMD is a corporation duly organized and existing under the laws of the State of Delaware with a principal place of business located at 2485 Augustine Drive, Santa Clara, CA 95054. AMD is the predecessor-in-interest of each of the Asserted Patents and has a non-exclusive license to practice each of the Asserted Patents. Pursuant to Commission Rule 210.12(a)(9)(iv), Complainant has attached a copy of the Onesta license agreement with AMD as **Confidential Exhibit 13C**.

167. AMD designs, develops, manufactures, and sells articles that practice the technology claimed by the Asserted Patents in the United States, which are and/or have been designed, developed, and/or manufactured as the result of significant and substantial levels of investments by AMD in the United States. These investments include significant and continuous investments in plant and equipment, and employment of labor or capital. They also include substantial and ongoing investments in engineering, research, and development of AMD's products that practice the Asserted Patents.

168. In addition, investments in products that have not yet been commercially released, constitute not only an existing domestic industry, but also a domestic industry in the process of being

established. AMD is actively engaged in the steps leading to the exploitation of the Asserted Patents due to its significant and substantial investments in certain products presently under development which are expected to practice the Asserted Patents, and there is a significant likelihood that an industry will be established in the future due to the projected demand and market for those products upon commercialization. *See, e.g., Confidential Exhibit 14C, AMD Decl.*

169. As a result of these investments, a domestic industry in the United States exists and is in the process of being established: (1) under Section 337(a)(3)(A) due to significant investment in plant and equipment; (2) under Section 337(a)(3)(B) due to significant employment of labor and capital; and (3) under Section 337(a)(3)(C) due to substantial investment in research and development with respect to each of the Asserted Patents.

170. AMD's proprietary AI, graphics, and high-performance computing microarchitectures are incorporated into certain AMD products (or, in the case of certain future AMD products, are in the process of being incorporated), including articles protected by the Asserted Patents. These current and future AMD products are described in further detail in the **Confidential Exhibit 14C, AMD Decl.**

171. AMD invests significant sums and is in the process of investing additional significant sums, in domestic plant and equipment relating to articles protected by the Asserted Patents, including AMD's next-generation future products. Specifically, AMD has multiple facilities across the United States directed to, among other things, research and development, and technical customer support services of articles protected by the Asserted Patents. Details relating to AMD's domestic expenditures on property, plant, labor, and equipment, and in specific connection with articles protected by the Asserted Patents, are set forth in the AMD Decl. **Confidential Exhibit 14C.** This exhibit also describes additional investments in property, plant,

labor, and equipment that AMD is in the process of making. *See, e.g., Confidential Exhibit 14C*, AMD Decl.

172. Numerous AMD employees work in the United States researching and developing, and/or providing technical support services, for articles protected by the Asserted Patents, including future products. Details relating to the significant number of such domestic employees, and the significant investments AMD makes in connection with these employees in specific relation to articles protected by the Asserted Patents, are set forth in **Confidential Exhibit 14C**., AMD Decl.

173. AMD makes substantial investments in research and development of articles protected by the Asserted Patents, including future products. *See Exhibit 88* (AMD 2024 10-K) at 11, 46, 48-49, <https://ir.amd.com/sec-filings/content/0000002488-24-000012/0000002488-24-000012.pdf> (accessed 04/11/2025); **Confidential Exhibit 14C**, AMD Decl.

174. The existence of a domestic industry is further evidenced by the fact that the ALJ in Investigation No. 337-TA-1318 found that a domestic industry existed in the United States based on AMD's investments in at least a subset of AMD's practicing products at issue in this Investigation. **Exhibit 82** (Initial Determination at 180 (July 7, 2023) (Public Version)). The Commission did not review this determination related to domestic industry. **Exhibit 89** (Notice of Commission Determination to Review in Part a Final Initial Determination Finding a Section 337 Violation, Inv. No. 337-TA-1318 (Oct. 16, 2023)); **Exhibit 83**, Initial Determination Granting Complainants Advanced Micro Devices, Inc. and ATI Technologies ULC's Motion for Summary Determination That the Economic Prong of Domestic Industry Is Satisfied (Feb. 6, 2023), Public Version.

175. In sum, AMD has expended, and will continue to expend, significant and substantial domestic resources in plant and equipment, labor and capital, research and development, and engineering, in connection with the manufacture of articles that are protected by and practice the Asserted Patents. **Confidential Exhibit 14C**, AMD Decl. A domestic industry therefore exists and is in the process of being established in connection with the Asserted Patents.

B. The DI Representative Articles Practice each of the Asserted Patents.

176. Pursuant to Commission Rule 210.12(a)(9)(ix), Complainant is required to chart “a representative involved domestic article” of AMD to an exemplary claim of each involved Asserted Patent. As described above, upon information and belief, at least the AMD Ryzen 5 8540U Processor) (the “DI Representative Article A”), as contained within the AMD Ryzen laptop (HP Pavilion 16), and the AMD Instinct MI250 OAM Module Accelerator (the “DI Representative Article B”), are exemplary of the other articles protected by the Asserted Patents because such other devices feature the same or substantially similar functionality.

177. On information and belief, the DI Representative Article A (*i.e.*, AMD Ryzen 5 8540U Processor) is one of AMD’s Ryzen 8000 Series of products, and is part of AMD’s Phoenix 2 product family. *See, e.g.*, **Exhibit 90**, <https://wccfttech.com/amd-ryzen-8000g-phoenix-2-desktop-apus-limited-single-channel-ddr5-memory-pcie-4-0-x4-for-dgpu-pcie-4-0-x2-for-m-2-ssds/> (accessed 04/15/2024). On information and belief, DI Representative Article B (*i.e.*, AMD Instinct MI250 OAM Module Accelerator) is part of AMD’s MI200 product family. *See, e.g.*, **Exhibit 91**, <https://ir.amd.com/news-events/press-releases/detail/1032/new-amd-instinct-mi200-series-accelerators-bring-leadership-hpc-and-ai-performance-to-power-exascale-systems-and-more> (accessed 04/15/2024).

178. Pursuant to Commission Rule 210.12(a)(9)(x), **Exhibit 92**, 5 contains a photograph of the DI Representative Article A (as incorporated into an HP Pavilion 16-inch Laptop) and **Exhibit 93** contains photographs of the DI Representative Article B.

179. As the prior owner of the Asserted Patents, AMD has had actual knowledge of the Asserted Patents since at least issuance of each Asserted Patent. *See Exhibits 7-12* (patent assignment records).

180. As described in more detail in Paragraphs 182-187 below, the DI Representative Articles A and B directly and/or indirectly practice at least one claim of each of the Asserted Patents. AMD has knowingly induced and continues to induce direct practicing acts by others. AMD contracts with and encourages others, including its subsidiaries and affiliates, original equipment manufacturers, customers, resellers, retailers, and other third parties to make, have made, use, test, sell, sell for importation, market, advertise, and/or import in the United States products that practice the Asserted Patents. For example, AMD contracts with and encourages these others, including its subsidiaries and affiliates, original equipment manufacturers, customers, resellers, retailers, and other third parties to make, have made, use, test, sell, sell for importation, market, advertise, and/or import in the United States integrated circuits that incorporate processors, electronic devices containing such integrated circuits (including, without limitation, circuit board assemblies, and graphics cards), and components of such integrated circuits and electronic devices, which practice the Asserted Patents. AMD knows that these inducing acts result in the direct practicing of the Asserted Patents by its customers because, among other things, AMD is the predecessor-in-interest of the Asserted Patents.

181. Further, AMD contributes to the foregoing direct practicing of the Asserted Patents by its subsidiaries and affiliates, original equipment manufacturers, customers, resellers, retailers,

and other third parties by, for example, making, having made, using, testing, selling, selling for importation into the United States, marketing, advertising, and/or importing into the United States articles protected by the Asserted Patents that have no substantial use other than a use that contributes to the direct practice of the Asserted Patents by its customers. Such articles embody a material part of the inventions claimed in the Asserted Patents, and AMD knows that such articles are designed for a use that practices or will be used to practice the Asserted Patents.

182. **Exhibit 15** includes a chart comparing independent claim 1 and dependent claim 5 of the '381 Patent to the DI Representative Article A. **Exhibit 15** shows that the DI Representative Article A practices directly and/or indirectly at least one claim of the '381 Patent.

183. **Exhibit 16** includes a chart comparing independent claim 11 of the '943 Patent to the DI Representative Article A. **Exhibit 16** shows that the DI Representative Article A practices directly and/or indirectly at least one claim of the '943 Patent.

184. **Exhibit 17** includes a chart comparing independent claim 11 of the '019 Patent to the DI Representative Article A. **Exhibit 17** shows that the DI Representative Article A practices directly and/or indirectly at least one claim of the '019 Patent.

185. **Exhibit 18** includes a chart comparing dependent claim 17 of the '350 Patent to the DI Representative Article A. **Exhibit 18** shows that the DI Representative Article A practices directly and/or indirectly at least one claim of the '350 Patent.

186. **Exhibit 19** includes a chart comparing independent claim 1 of the '803 Patent to the DI Representative Article B. **Exhibit 19** shows that the DI Representative Article B practices directly and/or indirectly at least one claim of the '803 Patent.

187. **Exhibit 20** includes a chart comparing independent claim 12 of the '809 Patent to the DI Representative Article A. **Exhibit 20** shows that the DI Representative Article A practices directly and/or indirectly at least one claim of the '809 Patent.

VIII. REQUESTED REMEDIAL ORDERS

A. Limited Exclusion Order

188. Pursuant to Section 337(d), Onesta respectfully requests that a limited exclusion order be entered against each named Respondent and its subsidiaries, predecessors, affiliates, agents, successors, and assigns, in order to remedy the Respondents' violation of Section 337 and to prevent such future violations by Respondents, barring from entry into the United States all articles that directly infringe, contributorily infringe, and/or induce the infringement of, literally or under the doctrine of equivalents, the Asserted Patents.

B. Cease and Desist Order

189. Cease and desist orders against all named Respondents are appropriate under Section 337(f), which provides that the Commission may issue a cease and desist order against any person violating Section 337, prohibiting each Respondent and its subsidiaries, predecessors, affiliates, agents, successors, and assigns from engaging in the (a) importation, sale for importation, and/or sale within the United States after importation of such articles, (b) marketing, distributing, offering for sale, selling, or otherwise transferring (except for exportation) in the United States such articles, (c) advertising such imported articles, (d) soliciting U.S. agents, retailers, resellers, or distributors for such articles, and (e) aiding or abetting other entities in the importation, sale for importation, sale after importation, transfer (except for exportation), or distribution of such articles. Upon information and belief, NVIDIA, Qualcomm, OnePlus, and Nothing maintain or may maintain by the conclusion of the evidentiary hearing (or are involved in the direction of others in maintaining) commercially significant inventories of articles involved, including at least at

NVIDIA's warehouse facility located at 1011 Rosedale Ave., Suite 100, Middletown, PA. **Exhibit 46** at 1. In particular, at least certain NVIDIA articles ordered directly from NVIDIA's U.S. website, **Exhibit 94**, <https://marketplace.nvidia.com/en-us/consumer/>, have been shipped from the NVIDIA warehouse facility located at 1011 Rosedale Ave., Suite 100, Middletown, PA. **Exhibit 46** at 1.

190. Additionally, where, as here, each Respondent's infringing articles are easily concealed, and it is difficult to identify the source of infringing goods, a cease and desist order is necessary to ensure compliance with the requested remedial orders. At least for the foregoing reasons, cease and desist orders are an appropriate remedy to prevent the widespread violation of Onesta's patent rights.

IX. RELIEF REQUESTED

191. WHEREFORE, by reason of the foregoing, pursuant to Commission Rule 210.12(a)(11), Complainant requests that the United States International Trade Commission:

a. Institute an investigation pursuant to Section 337 of the Tariff Act of 1930, as amended, 19 U.S.C. § 1337, with respect to the Respondents' violations of Section 337 based on the design, manufacture, importation into the United States, sale for importation into the United States, sale within the United States after importation, and instruction of purchasers on the infringing use of any articles, including integrated circuits that incorporate processors, electronic devices containing such integrated circuits (consisting of circuit board assemblies, graphics cards, smartphones, tablets, smartwatches, and computers), and components thereof (consisting of subassemblies of such integrated circuits and electronic devices), that infringe one or more claims of one or more of the Asserted Patents;

b. Schedule and conduct an evidentiary hearing on permanent relief pursuant to 19 U.S.C. § 1337(d) and (f) of the Tariff Act of 1930, as amended;

c. Issue a Limited Exclusion Order specifically directed to each named Respondent and its subsidiaries, predecessors, affiliates, agents, successors, and assigns, pursuant to 19 U.S.C. § 1337(d), excluding from entry into the United States any articles, including integrated circuits that incorporate processors, electronic devices containing such integrated circuits (consisting of circuit board assemblies, graphics cards, smartphones, tablets, smartwatches, and computers), and components thereof (consisting of subassemblies of such integrated circuits and electronic devices), that infringe one or more of the Asserted Patents;

d. Issue permanent cease and desist orders pursuant to 19 U.S.C. § 1337(f) prohibiting each Respondent and its subsidiaries, predecessors, affiliates, agents, successors, and assigns, from, among other things, importing, selling, offering for sale (including via the Internet or electronic mail), advertising (including via the Internet or electronic mail), or distributing articles, including integrated circuits that incorporate processors, electronic devices containing such integrated circuits (consisting of circuit board assemblies, graphics cards, smartphones, tablets, smartwatches, and computers), and components thereof (consisting of subassemblies of such integrated circuits and electronic devices), that infringe one or more claims of one or more of the Asserted Patents; and

e. Impose a bond upon each Respondent and its subsidiaries, predecessors, affiliates, agents, successors, and assigns, who continues to import infringing articles, including infringing integrated circuits that incorporate processors, electronic devices containing such integrated circuits (consisting of circuit board assemblies, graphics cards, smartphones, tablets, smartwatches, and computers), and components thereof (consisting of subassemblies of such integrated circuits and electronic devices), during the 60-day-Presidential review period per 19 U.S.C. § 1337(j); and

issue such other and further relief as the Commission deems just and proper under the law, based upon the facts determined by the investigation and the authority of the Commission.

Dated: April 18, 2025

Respectfully submitted,

/s/ Michael T. Renaud

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VERIFICATION OF COMPLAINT

I, **William Marino**, am a **Managing Member** at **Onesta IP, LLC** and am duly authorized to execute this verification of the accompanying Complaint under Section 337 of the Tariff Act of 1390, as Amended, on behalf of Complainant Onesta IP, LLC.

I have read the Complaint and am aware of its contents. I hereby declare, in accordance with 19 C.F.R. § 210.12(a)(1), that to the best of my knowledge, information, and belief and based upon a reasonable inquiry under the circumstances:

1. The allegations contained in the Complaint are well grounded in fact and have evidentiary support, or are likely to have evidentiary support after a reasonable opportunity for further investigation or discovery;
2. The claims and other legal contentions set forth in the Complaint are warranted by existing laws or by a good faith, non-frivolous argument for extension, modification, or reversal of existing law, or by the establishment of new law; and
3. The Complaint is not being filed for any improper purpose, such as to harass or cause unnecessary delay or needless increase in the cost of litigation.

Executed on April 18, 2025



William Marino, Managing Member
Onesta IP, LLC