



# Edgar Filing: TAIWAN SEMICONDUCTOR MANUFACTURING CO LTD - Form 6-K

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## TSMC Files Law Suit Against SMIC for Patent Infringement and Trade Secret Misappropriation Permanent injunction and monetary damages sought

Hsinchu, Taiwan, December 22, 2003 - Taiwan Semiconductor Manufacturing Company (TSMC) (TSE: 2330, NYSE: TSM), TSMC North America and WaferTech filed a complaint in the US District Court of Northern California on December 19th against Semiconductor Manufacturing International Corporation (SMIC) and SMIC Americas alleging that SMIC has infringed multiple patents and misappropriated trade secrets. The suit also asks for injunctive relief along with monetary damages.

The complaint alleges that SMIC improperly obtained TSMC trade secrets and infringed TSMC patents. For example, the complaint states that SMIC hired over 100 TSMC employees and asked some of them to provide SMIC with TSMC's trade secrets. The suit alleges that a SMIC official asked a then-TSMC manager to obtain TSMC process information and forward it to SMIC.

"We feel that we have no other choice than to proceed through the courts in order to protect our technology," said Dr. Dick Thurston, Vice President and General Counsel for TSMC. "It is our obligation to protect our patents and trade secrets to maintain shareholder value," Dr. Thurston explained.

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### About TSMC

TSMC is the world's largest dedicated semiconductor foundry, providing the industry's leading process technology and the foundry industry's largest portfolio of process-proven library, IP, design tools and reference flows. The company operates one advanced 300mm wafer fab, five eight-inch fabs and one six-inch wafer fab. TSMC also has substantial capacity commitments at its wholly owned subsidiary, WaferTech, and its joint venture fab, SSMC. In early 2001, TSMC became the first IC manufacturer to announce a 90-nm technology alignment program with its customers. TSMC's corporate headquarters are in Hsinchu, Taiwan. For more information about TSMC please see <http://www.tsmc.com>.